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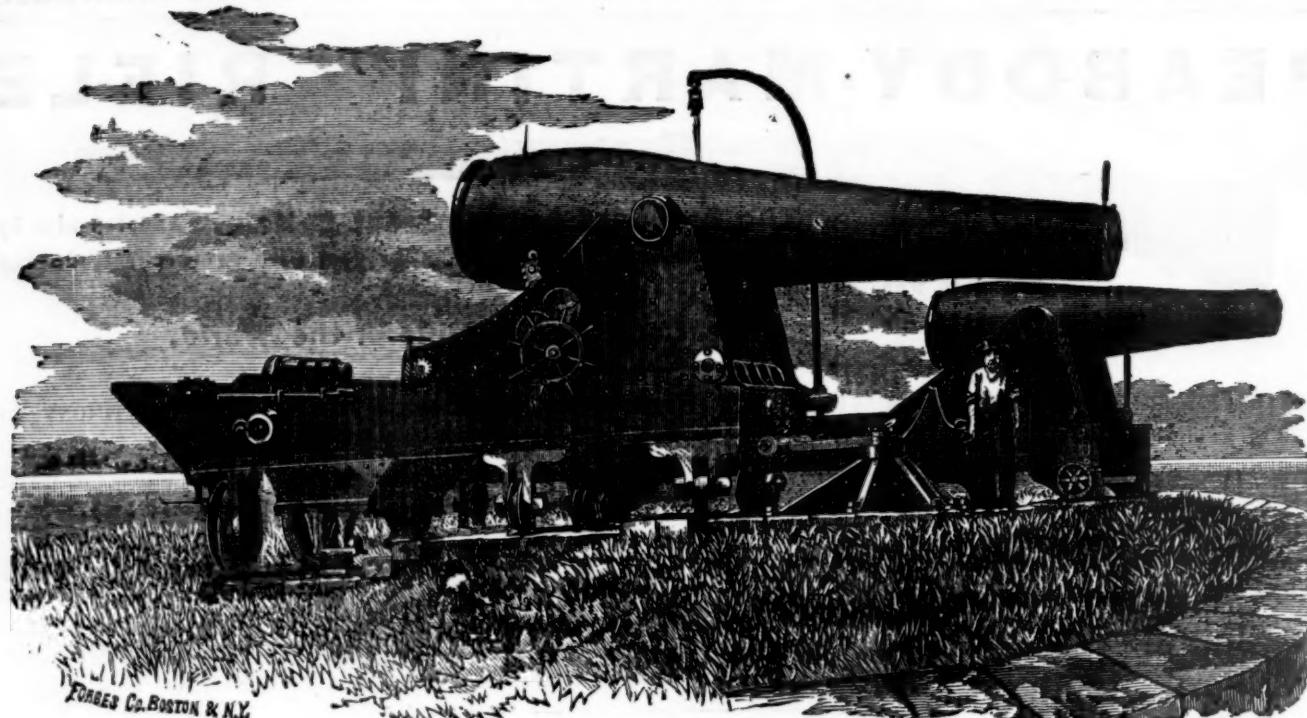
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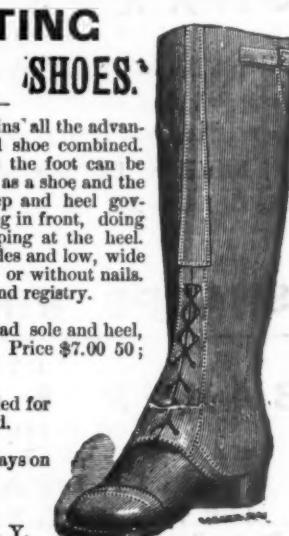
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A MOST IMPORTANT JUDGMENT.

Decision of the Supreme Court of the United States as to the liability of officers of the Army and Navy for damages to private persons and property resulting from acts of war.

SUPREME COURT OF THE UNITED STATES, OCTOBER TERM, 1879.

Neal Dow, Plaintiff in Error, v. Bradish Johnson.—In Error to the Circuit Court of the United States for the District of Maine.

1. When on the trial or hearing of a cause the judges of the Circuit Court are opposed in opinion on a material question of law, the opinion of the presiding judge is to prevail and be considered the opinion of the court for the time being, but the judgment or decree rendered may be reviewed on writ of error or appeal, without regard to its amount, upon a certificate of the judges stating the question upon which they differed.

2. An officer of the Army of the United States, while in service during the late war in the enemy's country, as well as in a civil action in the courts of that country for injuries resulting from acts of war ordered by him in his military character, nor could he be called upon to justify or explain his military conduct in a civil tribunal upon any allegation of the injured party that the acts complained of were not justified by the necessities of war. He was responsible only to his own Government, and only by its laws, administered by its authority, could he be called to account.

3. When any portion of the enemy's country was in the military occupation of the United States during the late war, the municipal laws were generally continued in force and administered through the ordinary tribunals for the protection and benefit of the inhabitants and others not in the military service, but not for the protection or control of the Army or its officers or soldiers.

4. Accordingly, when a brigadier-general in the Army of the United States, during the war, in command of troops in Louisiana, was sued in a district court of that State—continued in existence after the military occupation of the country by the United States, and authorized by the commanding general to hear causes between parties—for ordering a military company to seize and carry off as supplies for the Army certain personal property of the plaintiff, which seizure was alleged by him to have been unauthorized by the necessities of war, or martial law, or by the superiors of the brigadier-general, and judgment by default was rendered against the brigadier-general for the value of the property, it was held, in a suit brought in the Circuit Court of the United States, upon the judgment thus rendered, that the State court had no jurisdiction of the alleged cause of action, and that its judgment was void.

Mr. Justice FIELD delivered the opinion of the court.

The defendant in the court below, the plaintiff in error here, Neal Dow, was a brigadier-general in the Army of the United States during the late Civil War, and in 1862 and 1863 was stationed in Louisiana in command of Forts Jackson and St. Philip, on the Mississippi River, below New Orleans. These forts surrendered to the forces of the United States in April, 1862. The fleet under Admiral Farragut had passed them and reached New Orleans on the 25th of the month, and soon afterwards the city was occupied by the forces of the United States under General Butler. On taking possession of the city, the General issued a proclamation, bearing date on the 1st of May, 1862, in which, among other things, he declared that until the restoration of the authority of the United States the city would be governed by martial law; that all disorders, disturbances of the peace, and crimes of an aggravated nature, interfering with the forces or laws of the United States, would be referred to a military court for trial and punishment; that other misdemeanors would be subject to the municipal authority if it desired to act; and that civil causes between parties would be referred to the ordinary tribunals. Under this proclamation, the Sixth District Court of the City and Parish of New Orleans was allowed to continue in existence, the judge having taking the oath of allegiance to the United States.

In January, 1863, General Dow was sued in that court by Bradish Johnson, the plaintiff in this case. The petition, which is the designation given in the system of procedure in Louisiana to the first pleading in a civil action, set forth that the plaintiff was a citizen of New York, and for several years had been the owner of a plantation and slaves in Louisiana, on the Mississippi River, about forty-three miles from New Orleans; that on the 6th of September, 1862, during his temporary absence, the steamer *Avery*, in charge of Captain Snell, of Company B, of the 18th Maine regiment, with a force under his command, had stopped at the plantation, and taken from it twenty-five hogsheads of sugar; and that said force had plundered the dwelling house of the plantation and carried off a silver pitcher, half a dozen silver knives, and other table ware, the private property of the plaintiff, the whole property taken amounting in value to \$1,611.29; that these acts of Captain Snell and of the officers and soldiers under his command, which the petition characterized as "illegal, wanton, oppressive, and unjustifiable," were perpetrated under a verbal and secret order of Brigadier-General Neal Dow, then in the service of the United States, and in command of Forts Jackson and St. Philip, who, by his secret orders, which the petition declared were "unauthorized by his superiors, or by any provision of martial law, or by any requirements of necessity growing out of a state of war," wantonly abused his power and inflicted upon the plaintiff the wrongs of which he complained; and, therefore, he prayed judgment against the general for the value of the property.

To this suit General Dow, though personally served with citation, made no appearance. He may have thought that during the existence of the war, in a district where insurrection had recently been suppressed, and was only kept from breaking out again by the presence of the armed forces of the United States, he was not called upon by any rule of law to answer to a civil tribunal for his military orders, and satisfy it that

they were authorized by his superiors, or by the necessities growing out of a state of war. He may have supposed that for his military conduct he was responsible only to his military superiors and the Government whose officer he was.

Be that as it may, or whatever other reason he may have had, he made no response to the petition; he was therefore defaulted. The Sixth District Court of the Parish of New Orleans did not seem to consider that it was at all inconsistent with his duty, as an officer in the Army of the United States, to leave his post at the forts, which guarded the passage of the Mississippi, nearly a hundred miles distant, and attend upon its summons to justify his military orders, or seek counsel and procure evidence for his defence. Nor does it appear to have occurred to the court that if its jurisdiction over him was recognized there might spring up such a multitude of suits as to keep the officers of the Army stationed in its district so busy that they would have little time to look after the enemy and guard against his attacks. The default of the general being entered, testimony was received showing that the articles mentioned were seized by a military detachment sent by him and removed from the plantation, and that their value amounted to \$1,454.81. Judgment was thereupon entered in favor of the plaintiff for that sum with interest and costs. It bears date April 9th, 1863.

Upon this judgment the present action was brought in the Circuit Court of the United States for the District of Maine. The declaration states the recovery of the judgment mentioned and makes proof of an authenticated copy. To it the defendant pleaded the general issue, *nul til record*, and three special pleas. The object of the special pleas is to show that the District Court had no jurisdiction to render the judgment in question, for the reason that at the time its district was a part of the country in insurrection against the Government of the United States, and making war against it, and was only held in subjection by its armed forces. It is not important to state at length the averments of each of these pleas. It will be sufficient to state the material parts of the second plea and a single averment of the third. The second plea in substance sets up that as early as February, 1861, the State of Louisiana adopted an ordinance of secession, by which she attempted to withdraw from the Union and establish an independent Government; that from that time until after April 9th, 1863, the date of the judgment in question, she was in rebellion against the Government of the United States, making war against its authority: that in consequence the military forces of the United States, engaged in suppressing the rebellion, took forcible possession of that portion of the State comprising the district of the Sixth District Court of New Orleans, and held military occupation of it until long after April 9th, 1863, during which time martial law was established there and enforced; that the defendant was then a brigadier-general in the military service of the United States, duly commissioned by the President, and acting in that state under his orders and the articles of war; that by the general order of the President of July 22d, 1863, military commanders within the States of Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas were directed, in an orderly manner, to seize and use any property, real or personal, which might be necessary or convenient for their several commands as supplies, or for other military purposes; that the defendant in the performance of his duty as a brigadier-general was in command of troops of the United States in Louisiana; and that the troops by his order seized from the plaintiff, then a citizen of that State, certain chattels necessary and convenient for supplies for the Army of the United States, and other military purposes; and that for that seizure the action was brought in the Sixth District Court of New Orleans against him, in which the judgment in question was rendered; but that the District Court had no jurisdiction of the action or over the defendant at its commencement, or at the rendition of the judgment.

The third plea also avers that for the purpose of suppressing the Rebellion and restoring the national authority, the Government of the United States, through its proper officers, declared and maintained martial law in Louisiana, from May 1st, 1862, until long after the 9th of April, 1863, and deprived all the courts in that State, including the Sixth District Court of New Orleans, of all jurisdiction, except such as should be conferred on them by authority of the officer commanding the forces of the United States in that State, and that no jurisdiction over persons in the military service of the United States, for acts performed in the line of their duty, was by such authority conferred upon that court.

To the first plea, that of *nul til record*, the plaintiff replied that there was such a record, of which he prayed inspection, and the record being produced, the court found in his favor. To the special pleas the plaintiff replied, that the District Court had lawful jurisdiction over parties and causes of action within its district at the time and place mentioned, and to render the judgment in question. To the replication the defendant demurred; and upon the demurser two questions arose, upon which the judges in the Circuit Court were opposed in opinion, namely:

1st. Whether the replication is a good and sufficient reply to the special pleas; and, 2d, whether the Sixth District Court, at the time and place mentioned, had jurisdiction of the parties and cause of action to render the judgment in question.

By statute, when the judges of the Circuit Court are opposed in opinion upon any question arising on the

trial of a cause, the opinion of the presiding justice prevails, and judgment is entered in conformity with it. Here the presiding justice was of opinion that the replication was a sufficient reply to the special pleas, and that the District Court had jurisdiction over the parties and the cause, and to render the judgment in question. Accordingly the plaintiff had final judgment upon the demurser, which was entered for \$2,659.67 and costs; and the defendant has brought the cause here by writ of error on a certificate of division of opinion.

The important question thus presented for our determination is, whether an officer of the Army of the United States is liable to a civil action in the local tribunals for injuries resulting from acts ordered by him in his military character, whilst in the service of the United States in the enemy's country, upon an allegation of the injured party that the acts were not justified by the necessities of war.

But before proceeding to its consideration there is a preliminary question of jurisdiction to be disposed of. The act of February 16th, 1875, "to facilitate the disposition of cases in the Supreme Court of the United States, and for other purposes," provided, that whenever by the laws then in force it was required that the matter in dispute should exceed the sum or value of two thousand dollars, exclusive of costs, in order that the judgments and decrees of the Circuit Courts of the United States might be re-examined in the Supreme Court, such judgments and decrees thereafter rendered should not be re-examined in the Supreme Court, unless the matter in dispute should exceed the sum or value of five thousand dollars, exclusive of costs. (18 Stat., 315.) It is, therefore, contended that a judgment cannot be reviewed by this court, upon a certificate of division of opinion between the judges of the Circuit Court, if the judgment be under five thousand dollars; and the judgment in the present case is under that amount. We do not think, however, that this conclusion is warranted by the language of the act in question. That act makes no change in the previous laws, except as to amounts necessary to give the court jurisdiction, when the amount is material. Where before two thousand dollars was the sum required for that purpose, afterwards five thousand was the sum. But before that act questions arising in the progress of a trial could be brought to this court for determination upon a certificate of division of opinion without reference to the amount in controversy in the case. The original act of 1802, allowing this mode of procedure, was always held to extend our appellate jurisdiction to material questions of law arising in all cases, criminal as well as civil, without regard to the amount in controversy or the condition of the litigation. Its defect consists in the delays it created by frequently suspending proceedings in the midst of a trial. To obviate this defect the first section of the act of June, 1872, was passed, requiring the case to proceed notwithstanding the division, the opinion of the presiding justice to prevail for the time being; and this feature is retained in the Revised Statutes. (Sects. 650, 652, 693.) The benefit of the certificate can now be had after judgment upon a writ of error or appeal. This is the only material change from the original law. We have no doubt, therefore, of our jurisdiction in this case.

This brings us to the consideration of the main question involved, which we do not regard as at all difficult of solution, when reference is had to the character of the late war. That war, though not between independent nations, but between different portions of the same nation, was accompanied by the general incidents of an international war. It was waged between people occupying different territories, separated from each other by well-defined lines. It attained proportions seldom reached in the wars of modern nations. Armies of greater magnitude and more formidable in their equipments than any known in the present century were put into the field by the contending parties. The insurgent States united in an organization known as the Confederate States, by which they acted through a central authority guiding their military movements; and to them belligerent rights were accorded by the Federal Government. This was shown in the treatment of captives as prisoners of war, the exchange of prisoners, the release of officers on parole, and in numerous arrangements to mitigate as far as possible the inevitable suffering and miseries attending the conflict. The people of the loyal States on the one hand, and the people of the Confederate States on the other, thus became enemies to each other, and were liable to be dealt with as such without reference to their individual opinions or dispositions. Commercial intercourse and correspondence between them were prohibited, as well by express enactments of Congress as by the accepted doctrines of public law. The enforcement of contracts previously made between them was suspended, partnerships were dissolved, and the courts of each belligerent were closed to the citizens of the other and its territory was to the other enemies' country. When, therefore, our Armies marched into the country which acknowledged the authority of the Confederate government, that is, into the enemy's country, their officers and soldiers were not subject to its laws, nor amenable to its tribunals for their acts. They were subject only to their own government, and only by its laws, administered by its authority, could they be called to account. As was observed in the recent case of *Coleman v. Tennessee*, it is well settled that a foreign army, permitted to march through a friendly country, or to be stationed in it by authority of its sovereign or government, is exempted from its civil and criminal jurisdiction. The law was so stated in the celebrated case of *The Exchange*, reported in the seventh of *Cranch*. Much more must this exemption prevail where a hostile army invades an enemy's country. There would be something singularly absurd in permitting an officer or soldier of an invading army to be tried by his enemy, whose country it had invaded. The same reason for his exemption from criminal prosecution apply to civil proceedings. There would be as much incongruity, and

as little likelihood of freedom from the irritations of the war, in civil as in criminal proceedings prosecuted during its continuance. In both instances, from the very nature of war, the tribunals of the enemy must be without jurisdiction to sit in judgment upon the military conduct of the officers and soldiers of the invading army. It is difficult to reason upon a proposition so manifest; its correctness is evident upon its bare announcement, and no additional force can be given to it by any amount of statement as to the proper conduct of war. It is manifest that if officers or soldiers of the Army could be required to leave their posts and troops, upon the summons of every local tribunal, on pain of a judgment by default against them, which at the termination of hostilities could be enforced by suit in their own States, the efficiency of the Army as a hostile force would be utterly destroyed. Nor can it make any difference with what denunciatory epithets the complaining party may characterize their conduct. If such epithets could confer jurisdiction they would always be supplied in every variety of form. An inhabitant of a bombarded city would have little hesitation in declaring the bombardment unnecessary and cruel. Would it be pretended that he could call the commanding general, who ordered it, before a local tribunal to show its necessity or be mulcted in damages? The owner of supplies seized, or property destroyed, would have no difficulty, as human nature is constituted, in believing and affirming that the seizure and destruction were wanton and needless. All this is too plain for discussion and will be readily admitted.

Nor is the position of the invading belligerent affected, or his relation to the local tribunals changed, by his temporary occupation and domination of any portion of the enemy's country. As a necessary consequence of such occupation and domination, the political relations of its people to their former Government are, for the time, severed. But for their protection and benefit, and the protection and benefit of others not in the military service; or, in other words, in order that the ordinary pursuits and business of the society may not be unnecessarily deranged, the municipal laws, that is, such as affect private rights of persons and property, and provide for the punishment of crime, are generally allowed to continue in force, and to be administered by the ordinary tribunals as they were administered before the occupation. They are considered as continuing unless suspended or superseded by the occupying belligerent. But their continued enforcement is not for the protection or control of the Army or its officers or soldiers. These remain subject to the laws of war, and are responsible for their conduct only to their own Government, and the tribunals by which those laws are administered. If guilty of wanton cruelty to persons, or of unnecessary spoliation of property, or of other acts not authorized by the laws of war, they may be tried and punished by the military tribunals. They are amenable to no other tribunal, except that of public opinion, which, it is to be hoped, will always brand with infamy all who authorize or sanction acts of cruelty and oppression.

If, now, we apply the views thus expressed to the case at bar, there will be no difficulty in disposing of it. The condition of New Orleans and of the district connected with it, at the time of the seizure of the property of the plaintiff and the entry of the judgment against *Dow*, was not that of a country restored to its normal relations to the Union, by the fact that they had been captured by our forces, and were held in subjection. A feeling of intense hostility against the Government of the Union prevailed as before with the people, which was ready to break out into insurrection upon the appearance of the enemy in force, or upon the withdrawal of our troops. The country was under martial law; and its armed occupation gave no jurisdiction to the civil tribunals over the officers and soldiers of the occupying army. They were not to be harassed and mulcted at the complaint of any person aggrieved by their action. The jurisdiction which the District Court was authorized to exercise over civil causes between parties, by the proclamation of General Butler, did not extend to cases against them. The third special plea alleges that the court was deprived by the General Government of all jurisdiction except such as was conferred by the commanding general, and that no jurisdiction over persons in the military service for acts performed in the line of their duty was ever thus conferred upon it. It was not for their control in any way, or the settlement of complaints against them, that the court was allowed to continue in existence. It was, as already stated, for the protection and benefit of the inhabitants of the conquered country and others there not engaged in the military service.

If private property there was taken by an officer or a soldier of the occupying army, acting in his military character, when, by the laws of war, or the proclamation of the commanding general, it should have been exempt from seizure, the owner could have complained to that commander, who might have ordered restitution, or sent the offending party before a military tribunal, as circumstances might have required, or he could have had recourse to the Government for redress. But there could be no doubt of the right of the Army to appropriate any property there, although belonging to private individuals, which was necessary for its support or convenience for its use. This was a belligerent right, which was not extinguished by the occupation of the country, although the necessity for its exercise was thereby lessened. However exempt from seizure on other grounds private property there may have been, it was always subject to be appropriated when required by the necessities or convenience of the Army, though the owner of the property taken in such case may have had a just claim against the Government for indemnity.

The case of *Elphinstone v. Bedreechund* is an authority, if any were needed, that a municipal court has no jurisdiction to adjudicate upon the validity of a hostile seizure of property; that is, a seizure made in

the exercise of a belligerent right. There it appeared that a city of India had been captured by the British forces, and a provisional government established, which subsequently held undisturbed possession of the place. Several months after its occupation the members of the provisional government seized the private property of a native, under the belief that it was public property entrusted to his care by the hostile sovereign. The native had refused the benefit of the articles of capitulation of a fortress, of which he was governor, but had been permitted to reside under military surveillance in his own house in the city, where the seizure was made. At the time there was no hostilities in the immediate neighborhood, and the civil courts were sitting for the administration of justice; but the war was not at an end throughout the country, and there was a feeling of great hostility on the part of the people of the place, which was only prevented from breaking out into insurrection by the presence of an armed force. In these respects the position of the place was similar to that of New Orleans and the adjacent country under the command of General Butler. The property seized consisted of gold coin, jewels, and shawls; and the owner having died, an action for their value brought by his executor against the members of the provisional government who ordered the seizure, and judgment was rendered against them in the Supreme Court of Bombay. That court appeared to be controlled in its decision by the fact that for some months before the seizure, the city had been in the undisturbed possession of the provisional government, and that civil courts, under its authority, were sitting there for the administration of justice. But on appeal to the Privy Council the judgment was reversed. "We think," said Lord Tenterden, speaking for the Council, "the proper character of the transaction was that of a hostile seizure made, if not *flagrante*, yet *nondum cessante bello*, regard being had both to the time, the place, and the person; and, consequently, that the municipal court had no jurisdiction to adjudicate upon the subject; but that if anything was done amiss, recourse could only be had to the Government for redress." (1 Knapp P. C., 361.) Here the special pleas allege that the articles of property taken by the military detachment under General Dow were seized by his order as necessary and convenient supplies for the occupying army. It was a hostile seizure, as much so as that of the property in the case cited, being made, like that one, in the exercise of a belligerent right, upon the property or necessity of which the municipal court had no authority to adjudicate.

This doctrine of non-liability to the tribunals of the invaded country for acts of warfare is as applicable to members of the Confederate army, when in Pennsylvania, as to members of the National Army when in the insurgent States. The officers and soldiers of neither army could be called to account civilly or criminally in those tribunals for such acts, whether those acts resulted in the destruction of property or the destruction of life; nor could they be required by those tribunals to explain or justify their conduct upon any averment of the injured party that the acts complained of were unauthorized by the necessities of war. It follows that, in our judgment, the District Court of New Orleans was without jurisdiction to render the judgment in question, and the special pleas in this case constituted a perfect answer to the declaration. (See *People v. Coleman*, 97 U. S. 509; *Ford v. Surget*, *Id.*, 605; also *LeCaux v. Eden*, 2 *Doug.*, 594; *Lamar v. Browne*, 92 U. S., 197, and *Coolidge v. Guthrie*, 2 *Amer. Law. Reg.*, N. S., 22.)

We fully agree with the presiding justice of the Circuit Court in the doctrine that the military should always be kept in subjection to the laws of the country to which it belongs, and that he is no friend to the Republic who advocates the contrary. The established principle of every free people is, that the law shall alone govern; and to it the military must always yield. We do not controvert the doctrine of *Mitchell v. Harmony*, on the contrary, we approve it. But it has no application to the case at bar. The trading for which the seizure was there made had been permitted by the Executive Department of our Government. The question here is, what is the law which governs an army invading an enemy's country? It is not the civil law of the invaded country; it is not the civil law of the conquering country; it is a military law—the law of war—and its supremacy for the protection of the officers and soldiers of the army, when in service in the field in the enemy's country, is as essential to the efficiency of the army as the supremacy of the civil law at home, and in time of peace, is essential to the preservation of liberty.

Our decision upon the questions certified to us is, that the replication is not a good and sufficient reply to the special pleas; and that the Sixth District Court of New Orleans, at the time and place mentioned, had no jurisdiction of the parties and cause of action to render the judgment in question. The judgment of the Circuit Court must, therefore be reversed, and the cause remanded with directions to that court to enter final judgment for the defendant on the demurser to the replication; and it is so ordered.

MR. JUSTICE SWAYNE.—With respect to the jurisdictional point involved in this case, I concur in the views of Mr. Justice Clifford and Mr. Justice Miller. Upon the merits, I unite in the opinion of the majority as delivered by Mr. Justice Field.

THE Philadelphia *Ledger* is not very complimentary to the large gas bracket designed by Lieut.-Col. Casey, of the Engineers, for the new State Department building in Washington. Four are to be cast in bronze. The *Ledger* says that it is a grotesque conceit, representing a nondescript mermaid, with the body and head of a life-sized boy with wings, half extended, growing from the shoulders, and scaly tail, forked at the end and curled up the back; from the extremities of the tail pass ornamental pipes in a graceful curve to above the head, where they branch out into the brackets for the gas burners. In the hands of the figure are held a tablet containing maps and mathematical figures typifying Art and Science.

STAFF CORPS AND DEPARTMENTS.

Under date of 17th instant, the Second Comptroller decides in effect that the Treasury circular published in G. O. 107, A. G. O. 1879, does not apply to payments of mileage by the Pay Department. Mileage may, therefore, continue to be paid for travel over all railroads not included in list contained in G. O. 58, A. G. O., 1879. Please instruct paymasters accordingly. The above decision has been received from the Secretary of War. (Circular Letter from P. M. General Benj. Alvord, Feb. 21, 1880.)

BUREAU OF MILITARY JUSTICE.—Major Asa Bird Gardner, Judge-Advocate, will proceed to Washington, D. C., for temporary duty (S. O. 12, Feb. 19, M. D. A.)

QUARTERMASTER'S DEPARTMENT.—The telegraphic instructions from Hdqrs Dept. of the Columbia, of Jan. 2, directing Maj. George B. Dandy, Q. M., to proceed from Portland, Ore., to Vancouver Bks, W. T., and return, on public business, are confirmed (S. O. 18, Feb. 4, D. C.)

SUBSISTENCE DEPARTMENT.—Major M. R. Morgan, Chief C. S., will proceed to Minneapolis, Minn., and return, on public service (S. O. 21, Feb. 18, D. D.)

Leave of absence for twelve days is granted Major J. W. Barriger, Chief C. S. of the Dept. South (S. O. 19, Feb. 18, D. N. M.)

Capt. C. A. Woodruff will proceed to Fort Union, N. M., and inspect certain Subsistence stores at that post until for use. Upon completion of this duty Capt. Woodruff will return to his proper station—Santa Fe, N. M. (S. O. 22, Feb. 17, D. N. M.)

Captain Thomas Wilson will proceed to Chicago, Ill., on business connected with the Subsistence Dept. (S. O. 16, Feb. 19, D. P.)

MEDICAL DEPARTMENT.—Leave of absence for twenty days is granted Major C. C. Byrne, Fort Snelling, Minn. (S. O. 21, Feb. 18, D. D.)

Asst. Surg. D. M. Appel will proceed to Fort Supply, I. T., and report for duty to the C. O. of that post, relieving Asst. Surg. L. Y. Loring, who will proceed to Fort Dodge, Kas., for duty (S. O. 39, Feb. 20, D. M.)

Par. 5, S. O. 182, series of 1879, from Hdqrs Dept. Missouri, is amended so as to read as follows: A. A. Surgeon C. H. Shriner, Jr., is relieved from further duty at the Cantonment on the North Fork of the Canadian River, I. T., and will proceed from Fort Leavenworth to Fort Dodge, Kas., for duty (S. O. 38, Feb. 19, D. M.)

A. A. Surg. S. B. Stone is assigned to duty at Fort Grant, A. T. (S. O. 16, Feb. 9, D. A.)

Hosp. Steward J. H. Grant, now in San Antonio, Tex., will report to the C. O. Fort Griffin, Tex., for duty, and Private W. L. Stevenson, Co. C, 8th Cav., will be relieved as acting hospital steward of the 2d class, at that post, and will join his company at Fort Clark, Tex. (S. O. 33, Feb. 14, D. T.)

Hosp. Steward A. M. Rybold was discharged by expiration of service at Fort Cœur d'Alene, Idaho, Jan. 22.

Hosp. Steward Geo. O. Ent, assigned to duty at Fort Point, Cal. (S. O. 18, Feb. 12, Div. of the Pacific and D. C.)

Hosp. Steward John S. McGuire (recently appointed from Co. I, 12th Inf.) is assigned to duty at Fort Grant, A. T. (S. O. 20, Feb. 14, D. A.)

PAY DEPARTMENT.—Paymaster R. H. Towler will pay the troops stationed at Fort Yuma and San Diego Bks, Cal., to include the muster of Dec. 31, 1879 (S. O. 16, Feb. 9, D. A.)

Paymaster W. A. Rucker will pay the troops stationed at Fort Leavenworth, Kas., and at the Leavenworth Military Prison to Feb. 29, 1880. Paymaster W. H. Johnson will pay the troops stationed at the Cavalry Depot, St. Louis, and Jefferson Bks, Mo., Baxter Springs, Kas., and Forts Gibson and Sill, Ind. T., Feb. 29, 1880. Paymaster W. R. Gibson will proceed to Forts Riley, Hays, and Wallace, Kas., Fort Garland, Camp at Cchetopa, Saguache Pass, and Fort Lyon, Colo., and Fort Union, N. M., paying the troops at those points to Feb. 29, 1880. Paymaster Frank Bridgeman will proceed to Fort Reno, Cantonment on North Fork Canadian River, and Fort Supply, I. T., Fort Elliott, Texas, and Fort Dodge, Kas., for the purpose of paying the troops at those points to Feb. 29, 1880—he to make his first payment at Fort Reno, I. T. Paymasters T. C. H. Smith and G. W. Baird will make all payments in the District of New Mexico (not provided for above) under the direction of the District Commander (S. O. 37, Feb. 18, D. M.)

The following assignment of Paymasters to pay troops in the Dept. of the Plate on the muster of Feb. 29, 1880, is made: For the posts of Forts Hartsuff, McPherson, and Sidney, Neb., and Forts Fred. Steele and Washakie, Wyoming, Major T. H. Stanton. For the post of Fort Omaha, Neb., Maj. R. D. Clarke. For the posts of Forts Douglas and Cameron, Utah, and Fort Hall, Idaho, Maj. C. W. Wingard. For the posts of Forts Sanders, Fetterman, and McKinney, Wyoming, and the troops of the Ute expedition at Snake, Bear, and White Rivers, Colo., Maj. A. S. Towar. For the posts of Cheyenne Depot, Forts D. A. Russell and Laramie, Wyoming, and Fort Robinson and Camp Sheridan, Neb., Major J. W. Wham (S. O. 16, Feb. 19, D. P.)

Leave of absence for two months, to take effect after completion of his tour of payments of troops on the January and February muster, is granted Paymaster J. B. M. Potter, to apply for an extension (S. O. 20, Feb. 16, M. D. P.)

ORDNANCE DEPARTMENT.—The S. O. 11, c. s., from Hdqrs Dept. South, is so amended as to require Capt. Chas. Shaler to visit and inspect Forts Jackson, St. Philip, and Macomb, La., and Fort Massachusetts, Miss., previous to proceeding to Fort Barrancas (S. O. 20, Feb. 21, D. S.)

CORPS OF ENGINEERS.—Lieut. S. W. Roessler was ordered, Feb. 21, to report to Col. Z. B. Tower, at N. Y. City, for temporary duty under his orders in the preparation of the information collected by the Board of Engineer Officers constituted by S. O. 71, Hdqrs Corps of Engineers, 1878. On completion of the duty Lieut. Roessler will return to his station at Willet's Point, N. Y. H. (S. O. 18, Feb. 21, O. E.)

1st Lieut. Eugene Griffin is relieved from temporary duty at Hdqrs Mil. Div. Atlantic, to take effect on Feb. 25 (S. O. 13, Feb. 25, M. D. A.)

Capt. David P. Hesp is relieved from duty under the immediate orders of Lieut.-Col. G. K. Warren, and will report by letter to the Secretary of the Treasury for duty as Engineer of the 10th Light-house District, relieving Maj. Walter McFarland (S. O. 19, Feb. 18, W. D.)

THE LINE.

1ST CAVALRY, Colonel Cuvier Grover.—Headquarters and A. B. F. K. M. Fort Walla Walla, Wash. T.; D. C. Fort Howard, Idaho T.; C. Fort Bidwell, Cal.; G. Boise Bks, Idaho T.; I. Fort Halleck, Nev.; H. Fort Colville, Wash. T.; L. Fort Klamath, Ore.; E. Fort Lapwai, Idaho T.

2ND CAVALRY, Col. J. W. Davidson.—Headquarters and C. G. M. Fort Custer, M. T.; A. B. E. I. Fort Keogh, M. T.; D. F. K. Fort Ellis, M. T.; H. Fort Assiniboine, M. T.

3RD CAVALRY, Colonel A. G. Brackett.—Headquarters and H. K. L. M. Fort Laramie, Wy. T.; A. B. D. F. Fort Sanders, Wy. T.; C. Fort Robinson, Neb.; G. Camp Sheridan, Neb.; E. I. Fort Fred. Steele, Wy. T.

G. C.-M. Service.—1st Lieut. Bainbridge Reynolds, Adj't,

member, G. C.-M. convened at Fort Laramie, W. T., by par. 2, S. O. 106, series of 1879, from Hdqrs Dept. of Plate (S. O. 15, Feb. 16, D. P.)

The Milk River Fight.—Upon Capt. Lawson's application for a Court of Inquiry, with reference to the Milk River fight, in September last, it was forwarded by Gen. Crook, endorsed: "As I have learned unofficially that there is much feeling among the officers concerned, it might be well to grant the within request." Gen. Sherman returned it: "Disapproved unless the officer states the specific charge or imputation on himself. A sweeping investigation is not allowable on the application of a single officer." Capt. Lawson has renewed his application for a Court of Inquiry, stating as his grounds therefor that a portion of his company, under Lieut. Cherry, constituted the advance guard, and later, the entire company, under Capt. Lawson, held the line of retreat as the rear guard. Capt. Lawson's modesty is as well known as his oft-tried bravery before hostile Indians in the West; but the officers of the 3d Cavalry think that a fuller inquiry will give more credit where credit is due, in the Milk River fight.

4TH CAVALRY, Col. R. S. Mackenzie.—Headquarters and A. D. E. K. L. M. Fort Hayes, Kas.; G. H. Fort Reno, Ind. T.; C. F. Fort Sill, Ind. T.; I. Fort Supply, Ind. T.; B. Fort Elliott, Tex.

* Use Expedition.

Enlisted Men.—Private William H. Walker, Co. C, 4th Cav., now with his command at Fort Sill, Ind. T., is transferred to Co. K, 16th Inf., stationed at that post (S. O. 20, Feb. 25, W. D.)

5TH CAVALRY, Colonel W. Merritt.—Headquarters and B. C. D. E. K. F. Fort Russell, Wy. T.; A. H. I. M. Camp on White River, Colo.; G. L. Fort Washakie, Wy. T.

6TH CAVALRY, Col. Eugene A. Carr.—Headquarters and M. Fort Lowell, A. T.; A. F. Fort Grant, A. T.; B. Camp Huachuca, A. T.; C. L. Fort Bowie, A. T.; E. D. Fort Apache, A. T.; H. K. Fort Verde, A. T.; I. Fort McDowell, A. T.; G. Camp Thomas, A. T.

Enlisted Men.—Private Daniel C. Corcoran, Co. K, in hospital at the Presidio of San Francisco, Cal., will be assigned to Co. H, 4th Art., for temporary duty (S. O. 20, Feb. 16, M. D. P.)

7TH CAVALRY, Colonel D. D. Sturgis.—Headquarters and A. C. E. G. H. M. Fort Meade, D. T.; I. L. Fort Lincoln, D. T.; F. K. Fort Totten, D. T.; B. D. Fort Yates, D. T.

Leave of Absence.—One month, to apply for extension of one month, 1st Lieut. Ezra B. Fuller, Fort Meade, D. T. (S. O. 20, Feb. 14, D. D.)

In his G. C.-M. O. 7, of Jan. 31, 1880, promulgating the proceedings of the G. C.-M. in the case of Major Verling K. Hart, 7th Cav., (whose acquittal on the charges upon which he was tried we announced in last week's JOURNAL) the Department Commander, Brigadier-General Crook, comments as follows: "The proceedings are approved, except so much thereof as sustains the challenge preferred against Capt. F. Van Vliet, 3d Cav., as a member of the court, the reason for such challenge being stated in the record as follows, 'on the ground of his being my junior in rank, and in the line of promotion.' The Commanding General of the Department takes occasion to say, that it has been decided by superior authority, that whether the trial of an officer by officers of inferior rank can be avoided or not, is a question not for the accused, or the court, but for the officer convening the court, and his decision upon that point, as upon that of the number of members to be detailed, is conclusive. An officer, therefore, can not challenge the detail, or any member or members thereof, because merely of being of a rank inferior to his own. (Opinion of J. A. G., p. 33, sec. 1.) So much of the proceedings, so excepted, are disapproved. In connection with the subject matter of this trial, it is also deemed proper to say, that the investigation required by G. O. 18, series of 1877, from these Headquarters, should be conducted fully and broadly, so as to enable a Commanding Officer to ascertain and express a correct conclusion. Any explanation an accused officer may desire to submit, for the consideration of the Department Commander in connection with the charges preferred against him, should also be given due attention, and forwarded with the charges. Charges preferred upon rumors injurious to the reputation of an officer are liable to produce mischief, if incorrect, and should not be made without careful investigation and definite ascertaining of facts; nor should they be forwarded by Commanding Officers, without first allowing the officer charged an opportunity to make any written explanation or statement he may deem proper or desirable. The findings and acquittal are approved. Major Hart will be released from arrest, and restored to duty."

8TH CAVALRY, Colonel Thos. H. Neill.—Headquarters and G. Fort Ringgold, Tex.; I. Fort Brown, Tex.; A. C. D. H. I. M. Fort Clark, Tex.; E. San Diego, Tex.; F. Fort McIntosh, K. San Felipe, Tex.; B. Fort Duncan, Tex.

Relieved.—Lieut.-Col. N. B. Switzer is relieved as member G. C.-M. instituted by par. 4, S. O. 251, series of 1879, from Hdqrs Dept. of Texas (S. O. 32, Feb. 13, D. T.)

Assignment to Duty.—Lieut.-Col. N. B. Switzer, Brevet Brigadier-General, is so noiced as in command of the Dist. of the Rio Grande, dating from Feb. 8 (S. O. 32, Feb. 13, D. T.)

9TH CAVALRY, Colonel Edward Hatch.—Headquarters, Santa Fe, N. M.; L. Fort Bliss, Tex.; A. G. Fort Stanton, N. M.; B. C. F. H. M. Fort Bayard, N. M.; E. Fort Union, N. M.; I. Fort Wingate, N. M.; D. K. Fort Lewis, Colo.

Detached Service.—2d Lieut. J. F. Guillofo will at once relieve 1st Lieut. W. O. Cory, 15th Inf., (sick and unable to travel), of the temporary command of Co. I, 9th Cav., now at Santa Fe, en route to the field (S. O. 21, Feb. 12, D. N. M.)

To Join.—1st Lieut. Thomas C. Davenport is relieved from temporary duty in the office of Major Robert N. Scott, 3d Art., in charge of the publication of the official records of the Rebellion, Washington, D. C., to take effect March 1, 1880, when he will proceed to join his company (S. O. 20, Feb. 21, W. D.)

Remains of Lieut. French.—The remains of the late Lieut. J. Hansell French, killed in the engagement with hostile Apaches on Jan. 17, in the San Mateo Mountains, were shipped from Santa Fe, Feb. 21, to Mr. French's father in Philadelphia, having arrived the day before from the South. The cortege which accompanied the remains to the depot consisted of the hearse, a guard of honor, prominent civil and military officers, the pall bearers being all officers of the Army, as follows: Capt. John S. Loud, Capt. John W. Bean, Lieut. C. A. Steadman, Capt. C. A. Woodruff, Major G. W. Baird, and Capt. Francis Moore.

10TH CAVALRY, Colonel Benjamin H. Grierson.—Headquarters and D. E. F. M. Fort Concho, Tex.; A. G. I. Fort Sill, L. T.; C. H. K. Fort Davis, Tex.; B. L. Fort Stockton, Tex.

G. C.-M. Service.—Major Anson Mills is detailed a member G. C.-M. instituted at Fort Clark, Tex., by par. 4, S. O. 251, series of 1879, from Hdqrs Dept. Tex. (S. O. 32, Feb. 13, D. T.)

1ST ARTILLERY, Colonel Israel Vogdes.—Headquarters and B. E. F. K. Fort Adams, R. I.; I. L. Fort Warren, Mass.; C. M. Fort Trumbull, Conn.; H. Fort Preble, Me.; G. Fort Monroe, Va.; A. D. Fort Columbus, N. Y. II.

Leave of Absence.—One month, 1st Lieut. Robert H. Patterson, Fort Warren, Mass. (S. O. 29, Feb. 24, D. E.)

2ND ARTILLERY, Colonel Romayne B. Ayres.—Headquarters and A. D. M. Fort McHenry, Md.; C. Fort Johnston, N. C.; E. G. Fort Brown, Tex.; K. Fort Monroe, Va.; B. H. Washington, Arsenal, D. C.; I. Fort Ontario, N. Y.; F. L. Fort Clark, Tex.

G. C.-M. Service.—Capt. J. L. Rodgers is detailed a member G. C.-M. instituted at Fort Clark, Tex., by par. 4, S. O. 251, series of 1879, from Hdqrs Dept. Tex. (S. O. 33, Feb. 14, D. T.)

Leave Extended.—Capt. E. B. Williston, five days on account of physical disability (S. O. 34, Feb. 16, D. T.)

3RD ARTILLERY, Col. George W. Getty.—Headquarters and C. D. L. M. Fort Hamilton, N. Y. II.; A. Fort Monroe, Va.; E. L. Fort Wadsworth, N. Y. II.; B. Fort Niagara, N. Y.; H. Madison Bks, N. Y.; K. Pittsburg Bks, N. Y.; F. G. Fort Schuyler, N. Y.

Relieved.—Capt. John L. Tiernon is relieved from duty as a member G. C.-M. appointed by par. 2, S. O. 26, from Hdqrs Dept. of East (S. O. 30, Feb. 25, D. E.)

Lieut. Verplanck.—Before a General Court-martial which convened at Fort Wadsworth, N. Y. II., Oct. 20, 1879, and of which Lieut.-Col. Gustavus A. De Russy, 3d Art., is president, was arraigned and tried: 1st Lieut. Abram G. Verplanck, 3d Art. Charge L.—"Drunkenness on duty, in violation of the 38th Article of War." Finding, "Guilty." Charge II.—"Breach of arrest, in violation of the 65th Article of War." Finding, "Guilty." Charge III.—"Absence without leave, in violation of the 32d Article of War." Finding, "Not Guilty, but Guilty (of violation) of the 62d Article of War." Charge IV.—"Conduct to the prejudice of good order and military discipline, in violation of the 62d Article of War." Finding, "Not Guilty." Sentence, "To be dismissed the service of the United States." The proceedings, findings, and sentence of the General Court-martial in the foregoing case of 1st Lieut. Abram G. Verplanck, 3d Art., having been approved by the proper reviewing authority and the record forwarded, in accordance with the provisions of the 106th Article of War, for the action of the President, the following are his orders endorsed thereon, viz.:

"EXECUTIVE MANSION, February 13, 1880.

"The sentence in the foregoing case of 1st Lieutenant Abram G. Verplanck, 3d Artillery, is hereby confirmed.

"R. B. HAYES."

By direction of the Secretary of War, the sentence in the case of 1st Lieut. Abram G. Verplanck, 3d Art., will take effect Feb. 23, 1880, from which date he ceases to be an officer of the Army (G. C.-M. O. 11, Feb. 16, H. Q. A.)

4TH ARTILLERY, Col. W. H. French.—Headquarters and E. Angel Island, Cal.; C. L. Alcatraz Island, Cal.; M. Fort Stevens, Or.; G. Fort Canby, Wash. T.; I. Fort Monroe, Va.; A. K. Fort Point, Cal.; F. Point San Jose, Cal.; B. D. H. Presidio, Cal.

5TH ARTILLERY, Col. Henry J. Hunt.—Headquarters and F. G. H. I. M. Atlanta, Ga.; A. K. St. Augustine, Fla.; B. L. Fort Barrancas, Fla.; D. E. Key West, Fla.; C. Fort Monroe, Fla.

1ST INFANTRY, Colonel William R. Shafter.—Headquarters and A. C. E. I. Fort Randall, D. T.; B. G. Fort Hale, D. T.; D. H. K. Fort Meade, D. T.

Leave of Absence.—One month, on Surg. certificate, 1st Lieut. Hugh T. Reed, Fort Randall, D. T. (S. O. 20, Feb. 14, D. D.)

2ND INFANTRY, Colonel Frank Wheaton.—Headquarters and A. B. G. Fort Cœur d'Alene, Idaho T.; F. Fort Harney, Ore.; C. H. Fort Colville, Wash. T.; D. E. I. Camp Chelan, Wash. T.; K. Camp Howard, Idaho.

Non-Com. Officers.—Corpl. Wellington R. Steele, Co. D, 2d Inf., a married man, is transferred as private to Co. I, 21st Inf., stationed at Fort Lapwai, I. T., where he is now on duty (S. O. 19, Feb. 13, M. D. P.)

3RD INFANTRY, Colonel John R. Brooke.—Headquarters and F. G. Fort Shaw, M. T.; A. Fort Benton, M. T.; K. Fort Logan, M. T.; B. D. H. I. Misoula City, M. T.; C. E. Fort Ellis.

4TH INFANTRY, Colonel Franklin F. Flint.—Headquarters, Fort Sanders, Wy. T.; B. C. E. F. I. Camp on White River, Colo.; H. Fort Fred. Steele, Wy. T.; A. G. Fort Fetterman, Wy. T.; D. E. K. Fort Laramie, Wy. T.

G. C.-M. Service.—2d Lieut. Lewis Merriam, member, G. C.-M. Fort Laramie, Wy. T., convened by par. 2, S. O. 106, series of 1879, from Hdqrs Dept. of Plate (S. O. 15, Feb. 16, D. P.)

5TH INFANTRY, Colonel Nelson A. Miles.—Headquarters and A. B. C. D. E. F. G. H. I. K. Fort Keogh, M. T.

6TH INFANTRY, Colonel William B. Hazen.—Headquarters and C. D. E. I. Fort Buford, D. T.; A. F. G. Fort Abraham Lincoln, D. T.; B. H. K. Fort Stevenson, D. T.; B. Cantonment on Little Missouri River.

Leave Extended.—Lieut. W. H. H. Crowell, four months (S. O. 20, Feb. 26, W. D.)

7TH INFANTRY, Colonel John Gibbon.—Headquarters and A. D. G. I. Fort Snelling, Minn.; B. C. E. F. H. K. Camp on White River, Colo.

8TH INFANTRY, Colonel August V. Kautz.—Headquarters and B. H. K. Benicia Bks, Cal.; C. Fort McDermitt, Nev.; D. Fort Bidwell, Cal.; E. Fort Gaston, Cal.; G. Fort Halleck, Nev.; I. Santa Fe Bks, Cal.; A. Fort Yuma, Cal.; F. Angel Island, Cal.

9TH INFANTRY, Colonel John H. King.—Headquarters and G. H. Fort Omaha, Neb.; A. D. Fort McKinney, Wy. T.; I. Fort Sidney, Neb.; C. Fort Hartsuff, Neb.; F. K. Fort Camp on Snake River, Colo.

10TH INFANTRY, Colonel Henry B. Clitz.—Headquarters and A. E. H. K. Fort Wayne, Mich.; F. G. Fort Porter, N. Y.; B. I. Fort Brady, Mich.; C. D. Fort Mackinac, Mich.

A General Court-martial met at Fort Wayne, Feb. 27, for the trial of 2d Lieut. Edwin R. Clark, 10th Inf., on charges preferred by his Commanding Officer. General Ayres is president and Lieut. Chester judge-advocate of the court. It will be remembered that Lieut. Clark was some time ago dismissed under sentence of Court-martial, but has since been reinstated.

11TH INFANTRY, Colonel William H. Wood.—Headquarters and A. G. I. K. Fort Sully, D. T.; B. Fort Bennett, D. T.; C. B. C. F. H. Fort Custer, M. T.; D. Fort Lincoln, D. T.

A Bad Egg.—Barney Riley, whose alias to his front name is Dudley M., was formerly a soldier in the 11th Infantry. He is a handsome and naturally brilliant man and aged about twenty-eight. He was appointed deputy postmaster at White Swan on the 16th of January and four days afterward commenced a series of "irregularities." On the 23d of January

it is charged that he appropriated two registered packages, then upon the 28th he made away with two more—the packages in both cases coming down the river—and on the 30th he abstracted another package which was going from Springfield to Rosebud landing. This last package was taken out of the mail at about 9 o'clock in the evening. At 3 o'clock the next morning Riley ended his robberies by taking a package, which was en route down the river from Brule to Greenwood (the Yankton Agency) and addressed to Mr. C. C. Sperry, formerly of Omaha. During the time that Riley was committing these robberies he was drinking heavily and gambling frequently over night with the soldiers at Fort Randall across the river. The postmaster reported the case and on the evening of February 7th Riley was arrested in Yankton on a despatch from the U. S. marshal at Deadwood. Riley had been seeing life at the rate of a hundred dollars a day or so in Yankton. It is supposed that he spent about \$150 there, and that he abstracted not less than \$250 to \$300 during the term of his office. The losses are not known, the only amount yet ascertained being \$40, \$75, and \$5.—*Omaha Herald*, Feb. 21.

12TH INFANTRY. Colonel Orlando B. Willcox.—Headquarters and A, Fort Whipple, A. T.; B, Fort Verde, A. T.; C, Fort Apache, A. T.; E, Camp J. A. Rucker, A. T.; G, Fort McDowell, A. T.; H, Camp Thomas, A. T.; I, Fort Grant, A. T.; F, Fort Mojave, A. T.

Detached Service.—1st Lieut. James Halloran is relieved from duty at Camp John A. Rucker, A. T., and will at once turn over the command of the post, and of Co. E, to the officer next in rank, and will proceed to Camp Thomas, A. T., and report to the C. O. of that post, for temporary duty with Co. D. Upon the arrival of 1st Lieut. Halloran at Camp Thomas, A. T., 2d Lieut. S. C. Mills will be relieved from duty at that post, and will proceed to Camp Huachuca, A. T., and relieve 2d Lieut. Guy Howard, in command of Co. D, Indian Scouts. 2d Lieut. Guy Howard will proceed to Fort Lowell, A. T., and report to the C. O. of that post for temporary duty, pending further orders (S. O. 19, Feb. 13, D. A.)

To Join.—2d Lieut. G. R. Smith is relieved from duty at Whipple Bks, A. T., and will proceed to join his company at Camp John A. Rucker, A. T. (S. O. 19, Feb. 13, D. A.)

Leave Extended.—1st Lieut. John J. Clague, three months (S. O. 26, Feb. 21, W. D.)

13TH INFANTRY. Colonel Luther P. Bradley.—Headquarters and A, D, H, I, Jackson Barracks, La.; B, G, Mount Vernon, Ala.; C, E, Little Rock Bks, Ark.; F, Newport Bks, Ky.

Recruits.—Detachments of recruits for companies of 13th Infantry, stationed at Jackson Bks, La., and Little Rock Bks, Ark., left David's Island, N. Y. H., Feb. 25.

14TH INFANTRY. Col. John E. Smith.—Headquarters and D, E, F, H, I, Fort Douglas, Utah; A, Fort Hall, Idaho; B, C, G, Fort Cameron, U. T.

* Ut Expedition.

Detached Service.—1st Lieut. Charles H. Warrens will report to the C. O. Fort Hall, Idaho, for temporary G. C.-M. duty (S. O. 16, Feb. 19, D. P.)

15TH INFANTRY. Colonel George P. Buell.—Headquarters and D, E, F, H, I, Fort Wingate, N. M.; F, Fort Union, N. M.; E, Fort Bayard, N. M.; C, Fort Stanton, N. M.; B, I, Fort Lewis, Colo.; A, G, Fort Bliss, Tex.; H, Fort Marcy, N. M.

* At Camp on San Juan River, Colo. (an out-post of Fort Wingate, N. M.)

* In the field.

Relieved.—1st Lieut. W. O. Cory (sick and unable to travel) when relieved of the command of Co. I, 9th Cav., by Lieut. Guiffroye, 9th Cav., will report to the C. O. Fort Marcy, N. M., for temporary duty (S. O. 21, Feb. 12, D. N. M.)

16TH INFANTRY. Colonel G. Pennypacker.—Headquarters, A, C, H, Fort Riley, Kas.; E, I, Fort Reno, Ind. T.; B, D, K, Fort Sill, Ind. T.; F, G, Fort Wallace, Kas.

* Ut Expedition.

Leave of Absence.—One month, 2d Lieut. W. C. McFarland, Fort Garland, Colo. (S. O. 33, Feb. 19, D. M.)

Enlisted Men.—As soon as Private Joseph Ashcroft, Co. C, is able to travel, the C. O. of Fort Garland, Colo., will cause him to proceed to Fort Riley, Kas., and report to the C. O. for such duty as he may be able to perform (S. O. 40, Feb. 23, D. M.)

Private Joseph Griffis, Co. K, 16th Inf., now with his command at Fort Sill, Ind. T., is transferred to Co. C, 4th Cav., stationed at that post (S. O. 26, Feb. 25, W. D.)

17TH INFANTRY. Colonel Thomas L. Crittenden.—Headquarters and B, D, H, I, Fort Yates, D. T.; C, Fort Totten, D. T.; G, Fort A. Lincoln, D. T.; A, F, Fort Sisseton, D. T.; E, K, Fort Pembina, D. T.

18TH INFANTRY. Colonel Thomas H. Ruger.—Headquarters and A, B, C, E, F, K, Fort Assiniboin, Mont. na; G, H, Fort Shaw, M. T.; I, Fort Logan, Mont. T.; D, Fort Ellis, Mont. T.

19TH INFANTRY. Colonel Charles H. Smith.—Headquarters and B, D, E, F, H, Fort Leavenworth, Kas.; A, E, K, Fort Lyon, C, T.; C, G, I, Fort Dodge, Kas.

* Ut Expedition.

To Join.—1st Lieut. J. G. Leefe is relieved from further duty at Fort Dodge, Kas., and will proceed to Fort Leavenworth, Kas., and report to the C. O. of his company for duty (S. O. 37, Feb. 8, D. M.)

Detached Service.—1st Lieut. J. G. Leefe, having been discharged from further attendance before the G. C.-M. at Fort Leavenworth, Kas., will return to Fort Dodge, Kas., for the purpose of turning over the public property for which he is responsible at that post (S. O. 38, Feb. 19, D. M.)

Temporary Duty.—The medical officer of Fort Leavenworth having reported that 1st Lieut. C. A. Vernon cannot at present return to his company without risk of serious injury to his health, that officer will report, at the expiration of his present leave of absence on certificate of ill-health, to the C. O. of Fort Leavenworth for temporary duty until the medical officer reports he can safely rejoin his company (S. O. 38, Feb. 19, D. M.)

20TH INFANTRY. Colonel Elwell S. Otis.—Headquarters and B, D, G, I, K, Fort Brown, Tex.; A, San Antonio, Tex.; C, E, F, H, Fort Clark, Tex.

Detached Service.—Capt. J. C. Bates and 1st Lieut. J. B. Rodman, Adj't., were ordered, Feb. 18, to accompany the remains of the late Brevet Major-General George Sykes, Colonel 20th Infantry, from Fort Brown, Tex., to West Point, N. Y. (S. O. 35, Feb. 18, D. T.)

In Memoriam.—The Commanding Officer has the painful duty of announcing to the regiment the death at Fort Brown, Texas, on the 8th instant, of its honored head, Colonel George Sykes, Brevet Major-General U. S. Army. It is unnecessary to recapitulate his long and varied service of nearly forty years in Florida, Mexico, and the Civil War, familiar to us all. Let us imitate the self-sacrifice and devotion to duty so conspicuous from the beginning, to the very end of his career. In respect to his memory the officers of the regiment will wear the usual badge of mourning, and the regimental colors will be draped for thirty days. By command of Lieut.-Colonel Lewis C. Hunt: JOHN B. RODMAN, 1st Lieut. and Adj't. 20th Inf. (Begt. G. O. 2, Feb. 11, 1880.)

McClellan's Tribute.—Governor McClellan has written the

following letter on the death of General Sykes to Captain McKibbin:

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT, Trenton, February 10, 1880

Captain Chambers McKibbin, 15th Infantry:

MY DEAR CAPTAIN: It has been out of my power to acknowledge at an earlier day yours of the 10th, referring to the death of our friend, General George Sykes.

A personal acquaintance extending over a third of a century and close association with him officially in two wars led me to admire very highly his character as a man and his qualities as a soldier.

As a gentleman his character was of the highest and also the purest, and he endeared himself to all who were so fortunate as to be associated with him.

As a soldier his record was one that all might be too glad to possess. While in the subordinate grades he did honor to that admirable regiment in which his entire service as a company officer was spent. Raised to the rank of a general officer, it was his good fortune to have under his orders the Regular Infantry serving in the "Army of the Potomac." And I do not believe that higher praise can be awarded him than to say that he was found worthy of that honor.

In common with his old friends and comrades I deeply mourn our own loss, and that of the service of which he was one of the brightest ornaments. Always your sincere friend,

GEO. B. McCLELLAN.

Honors to Gen. Sykes.—The remains of Gen. Sykes are expected daily in New York. The remains left Fort Brown Feb. 19, en route to West Point for interment, at 2:30 p. m. Religious services were held at the post. The remains were escorted to the train by the troops of the garrison, consisting of five companies of infantry, two batteries of artillery, a company of cavalry, and the crew of the gun-boat *Rio Bravo*, with its battery of Gatling guns. Gen. Canales, a commander of the Mexican line of the Rio Grande; Col. Haynes, collector of the port, and the mayor of Brownsville were among the pall-bearers. A deputation of citizens, headed by the city council, members of the district court, the officers of the Mexican army serving in Matamoras, the governor of Tamaulipas and staff, the American, Mexican, and Spanish consuls, and the veterans of the war with Mexico formed part of the procession. The flags of the post, the gun-boat, the consulates and customs in Brownsville and Matamoras, and the flags of the Mexican garrison were at half-mast. A salute of thirteen guns was fired by the gun-boat *Rio Bravo*, ending by a salute by the Mexican battery on the river-bank opposite the port. The places of business at Brownsville along the line of march were closed as a mark of respect to the memory of the dead. As the train moved off the band played the General's favorite air, "Departed Days." A number of Generals accompanied the remains to Brazos Santiago, where they were placed on the steamer.

21ST INFANTRY. Colonel H. A. Morrow.—Headquarters and C, E, G, K, Vancouver Bks, Wash. T.; A, Boise Bks, Idaho T.; H, Fort Harney, Or.; F, Fort Klamath, Or.; B, D, Fort Townsend, Wash. T.; I, Fort Lapwai, Idaho T.

Change of Station.—Co. F, Capt. Riley, now at Fort Klamath, Ore., has been ordered to Vancouver Bks as soon as the roads are in condition for the march to Roseburg. Upon the arrival of Co. F, Co. C will be relieved from duty and proceed to Fort Klamath.

Non-Com. Officers.—1st Sergt. E. W. Stone, Co. C, will return to the station of his company, Vancouver Bks, W. T. (S. O. 18, Feb. 12, M. D. P.)

22ND INFANTRY. Colonel David S. Stanley.—Headquarters and D, F, H, K, Fort Clark, Tex.; B, C, G, I, Fort McKavett, Tex.; A, Fort Griffin, Tex.; E, Post of San Antonio, Tex.

Change of Station.—1st Lieut. W. W. Daugherty, 22d Inf., will relieve Capt. C. B. Penrose, Commissary of Subsistence, U. S. Army, from duty as Acting Commissary of Subsistence, San Antonio, Tex., to date from the 1st proximo (S. O. 34, Feb. 16, D. T.)

Relieved.—Capt. D. C. Poole is relieved as member G. C.-M. instituted at Fort Clark, Tex., by par. 4, S. O. 251, series of 1879, from Hdqrs Dept. Tex. (S. O. 33, Feb. 14, D. T.)

Assignment of Duty.—Capt. John Hartley will report to Major Robert N. Scott, 3d Art., in charge of the publication of the official records of the Rebellion, for duty in his office (S. O., Feb. 24, W. D.)

23RD INFANTRY. Colonel Granville O. Haller.—Headquarters and B, E, K, Fort Supply, Ind. T.; A, C, D, G, I, Camp on North Fork of the Canadian River, I. T.; F, H, Fort Elliott, Tex.

Gen. Davis.—At the last meeting of the New York Commandery of the Military Order, Loyal Legion, held at Delmonico's, New York, Feb. 9, resolutions of respect to Gen. Jefferson C. Davis were presented by a Committee, John C. Robinson, Major-General U. S. Army, retired, Geo. M. Ramson, Commodore U. S. Navy, and Edw. L. Molineux, Brevet Major-General U. S. Army. After reciting Gen. Davis's services as an Army officer, the report says: "Ever ready to perform any duty required of him, General Davis has rendered good service in nearly every section of our country. Therefore be it resolved, 1st. That this Commandery has received, with profound respect, intelligence of the death of Companion Jefferson C. Davis, Brevet Major-General U. S. Army; and that we deeply sympathize with the widow and family in their great affliction. 2d. That the banner of this Commandery be draped in mourning for thirty days. 3d. That a copy of this memorial be sent to the family of the deceased, and published in the *ARMY AND NAVY JOURNAL*."

24TH INFANTRY. Colonel Joseph H. Potter.—Headquarters and A, B, F, Fort Duncan, Tex.; D, E, H, Fort McIntosh, Tex.; C, G, I, K, Fort Ringgold, Tex.

25TH INFANTRY. Colonel George L. Andrews.—Headquarters and E, H, I, Fort Davis, Tex.; B, C, D, F, Fort Stockton, Tex.; A, G, K, Fort Concho, Tex.

Assignment to Duty.—1st Lieut. W. I. Sanborn, in connection with par. 5, S. O. 28, from Hdqrs Dept. of Texas, is announced as A. A. Q. M. at Galveston, Tex. (S. O. 32, Feb. 13, D. T.)

Recruits.—A detachment of thirty colored recruits for the 25th Infantry left David's Island, N. Y. H., Feb. 25, for San Antonio, under charge of Capt. D. H. Murdoch, 6th Inf.

Casualties among the Commissioned Officers of the U. S. Army reported to the Adjutant-General's Office during the week ending Saturday, February 21, 1880.

Captain James Thompson (retired)—Died February 14, 1880, at Newport, Kentucky.

Special Inspectors Appointed.—Capt. Thomas Drury, 2d Inf., on certain signal equipments at Fort Harney, Ore. (S. O. 18, Feb. 4, D. C.)

Capt. Charles A. Dempsey, 2d Inf., at Fort Custer d'Alene, I. T., on certain ordnance and ordnance and quartermaster's stores, camp, and garrison equipage (S. O. 18, Feb. 4, D. C.)

Capt. Stephen G. Whipple, 1st Cav., on certain quartermaster's property at Fort Klamath, Ore. (S. O. 19, Feb. 5, D. C.)

Col. Albert G. Brackett, 3d Cav., at Fort Robinson, Neb., all unserviceable property at that post (S. O. 18, Feb. 16, D. P.)

Major Robert H. Offley, 19th Inf., certain medical and hospital property at Fort Dodge, Kas. (S. O. 36, Feb. 17, D. M.)

Capt. R. L. Easridge, 23d Inf., at Fort Elliott, Tex., one cavalry horse (S. O. 34, Feb. 17, D. M.)

Capt. C. C. Hood, 24th Inf., two public mules, pertaining to the Q. M. Dept. at Fort Duncan, Tex. (S. O. 34, Feb. 16, D. T.)

Capt. J. C. Gilmore, 24th Inf., eight cavalry horses and two public mules, pertaining to Co. F, 8th Cav. (S. O. 35 Feb. 18, D. T.)

Pasturage for Cattle.—The C. O. Vancouver Bks, Chief Ordnance Officer, and Depot Quartermaster, will constitute a Board to investigate the subject of the pasturage of horses and cattle within the limits of this military reservation. The Board will then ascertain and suggest efficient remedies for the proper protection of the parade and enclosures, from which such animals should be excluded. Meanwhile, the C. O. Vancouver Bks will detail a commissioned officer and a sufficient number of enlisted men for the last-named purpose, until permanent measures of protection be adopted (S. O. 18, Feb. 4, D. C.)

Military Reservation.—G. O. 6, Feb. 18, D. P., announces the Military Reservation of Fort McKinney, W. T., originally declared by Executive Order of July 2, 1879, as announced in G. O. 17, series of 1879, from Hdqrs Dept. of Platte, is, by Executive Order of Feb. 2, 1880, enlarged for the purpose of supplying the post with wood and timber, and the enlargement is accordingly, in compliance with instructions of Feb. 5, from the Hdqrs of the Army, announced for the information of all concerned, with boundaries described as follows: The area of the enlargement is twenty-four square miles, and that of the original reservation was sixteen square miles.

ROSTER OF OFFICERS OF THE NEW MEXICO COLUMN, UTE EXPEDITION.

Commanded by Colonel Geo. P. Buell, 15th Inf., Headquarters Animas City, Colorado.

Field and Staff.—Colonel George P. Buell, commanding, 15th Inf.; 1st Lieut. and Adj't. Thomas F. Davis, A. A. Gen., 15th Inf.; 2d Lieut. B. N. Waters, A. A. Q. M. and A. C. S., 15th Inf.; Major A. L. Hough, comdg. 1st Batt. and camp, 22d Inf.; 1st Asst. Surgeon J. H. Collins, U. S. A.; 2d Asst. Surgeon F. H. Atkins, U. S. A.; 2d Asst. Surgeon J. Cochran, U. S. A.

Co. D, 15th Inf.—Captain Horace Jewett, comdg. company and 2d Batt.; 1st Lieut. G. K. McGinnagle, at Fort Bliss, Texas; 2d Lieut. J. F. C. Hegewald, engineer officer.

Co. H, 15th Inf.—Captain John W. Bean, comdg. company; 1st Lieut. Cyrus M. Dolany, absent with leave; 2d Lieut. Samuel S. Paine, A. A. Q. M., Alamosa, Colo.

Co. K, 15th Inf.—Captain Wilson T. Hartz, comdg. company; 1st Lieut. W. O. Cory, comdg. Co. I, 9th Cav.; 2d Lieut. David D. Mitchell, with company.

Co. I, 15th Inf.—1st Lieut. G. A. Cornish, comdg. detachment of Cos. B and L.

Co. G, 19th Inf. (Mounted).—Captain James H. Bradford, comdg. company and 3d Batt.; 1st Lieut. Cornelius Gardener, at Fort Supply, I. T.; 2d Lieut. Alfred McC. Ogle, with Co.

Co. D, 22d Inf.—Captain William Conway, Genl. R. C. Service; 1st Lieut. W. H. Dugay, comdg. company; 2d Lieut. J. G. Ballance, at Fort Gibson, I. T.

Co. E, 22d Inf.—Captain C. J. Dickey, comdg. company; 1st Lieut. Will W. Daugherty, A. A. Q. M. and A. C. S., 1st Batt.; 2d Lieut. A. F. Hewitt, with company.

Co. F, 22d Inf.—Captain A. H. Goodloe, absent sick; 1st Lieut. C. C. Cusick, comdg. company; 2d Lieut. E. W. Casey, Batt. Adj't.

Co. K, 22d Inf.—Captain Mott Hooton, comdg. company; 1st Lieut. W. J. Campbell, with company; 2d Lieut. F. B. Jones, with company.

Co. I, 9th Cav.—Captain F. T. Bennett, at Fort Wingate; 1st Lieut. W. W. Tyler, at Fort Wingate; 2d Lieut. —; 1st Lieut. W. O. Cory, 15th Inf., comdg. company.

Co. K, 9th Cav.—Captain Charles Parker, comdg. company; 1st Lieut. Gustavus Valois, at Lake City; 2d Lieut. —.

THE INJUNCTION AGAINST LAIDLEY'S RIFLE FIRING.—We give the full text of the "final decree of the Circuit Court of the United States for the Southern District of New York, in Equity, in the case against 'Laidley's Rifle Firing,' for the infringement of the copyright of Wingate's Manual:

The above entitled action coming on to be heard upon the plaintiffs' bill of complaint, and upon the defendant's answer thereto, admitting the violation of the plaintiffs' copyright, and on the annexed consent of the solicitor for the defendant, on motion of George W. Wingate, of counsel for said complainants, it is ordered and decreed as follows:

First. That the complainants are the owners of the copyright of the several editions of the "Manual for Rifle Practice, including Suggestions for Practice at Long Ranges and for the Formation and Management of Rifle Associations," by General George W. Wingate, General Inspector of Rifle Practice of the State of New York, mentioned in said bill of complaint, and that the same and each thereof has been duly copyrighted by them, and such copyright is valid according to law.

Second. That the defendant has infringed upon said copyrights by exposing for sale in the City of New York, without the complainants' consent and knowing that the publishers thereof had not obtained their consent in writing or otherwise, ten copies of a book entitled "A Course of Instruction in Rifle Firing," by Col. T. S. S. Laidley, U. S. A., which book is largely composed of extracts copied from the several editions of said Wingate's Manual of Rifle Practice, described in said bill of complaint, and is a violation of the copyrights thereto" owned by the complainants.

Third. That the said defendant, and his agents and associates and each of them, be and they are hereby perpetually enjoined and restrained from printing, publishing, or exposing for sale any copy or copies of the said Laidley's Rifle Exercises, or any other work embracing any portion of the several editions of said Manual for Rifle Practice described in the said bill of complaint, or of either thereof, and that a perpetual writ of injunction be issued to that effect.

THE celebration of Washington's birthday at Norfolk, Va., was participated in by the garrison of Fort Monroe with the post band, the band from the *Tennessee*, and a detachment of sailors from the United States naval vessels at Norfolk, with two Gatling guns; the band from the Soldiers' Home, with an invalid corps 400 strong; a battalion of citizen soldiery, consisting of the *Penns* Guard, of Hampton; *Suffolk Grays*, Old Dominion Guard, Norfolk Light Artillery Blues, and the Norfolk City Guard, and a battalion of cadets from the Webster Military Institute. Gen. G. W. Getty, U. S. A., assumed command by invitation.

The Atlanta Constitution says: "The officers of the two batteries—Captains Rawles and Kinzie, Lieuts. Crabb, Tom Adams, Sage, and Granger Adams—during their stay in this city made a host of friends, who regretted their departure very much, and hope that the movements of the Army may bring them back to Atlanta at some future time. They may be assured that a warm welcome will always await them here."

THE SERVICES IN CONGRESS.

The bill, S. 322, authorizing the appointment of William English to a second lieutenancy in the Army came up for consideration in the Senate Feb. 20, but as it appeared he had already been appointed to the Army, and confirmed by the Senate, it was indefinitely postponed.

The Senate has passed S. 593, repealing the provisions of Sections 1506 and 1605 Rev. Statutes, authorizing the advancement of an officer of the Navy or Marine Corps thirty numbers in rank for extraordinary heroism.

It appearing that 1st Sergeant John Dolan, Co. F, 5th U. S. Cavalry, was killed in action Sept. 29, 1879, S. 593, to authorize his appointment as 2d Lieutenant has been indefinitely postponed.

S. 2, for the relief of Mark Walker, has passed the Senate. The bill suspends the provisions of law regulating appointments in the Army so far as they affect Mark Walker, late 1st Lieut. 19th U. S. Infantry, and authorizes the President, if he so desire, in the exercise of his own discretion and judgment, to nominate and, by and with the advice and consent of the Senate, appoint Mark Walker to the same grade and rank of first lieutenant held by him on May 13, 1878; and he is thereupon to be placed upon the retired list of the Army, provided the same shall be recommended by the retiring board. *Provided*, That the acceptance of the provisions of this act shall be a waiver of all rights, present and prospective, under the pension laws of the United States.

On objection of Senator Burnside, S. 390, to restore Dunbar R. Ransom to his rank in the Army, was passed over Feb. 20th; also S. 193, 194, to provide for the disposal of the Fort Larned and Fort Harker military reservations.

S. 888, to authorize the compilation and printing of the naval history of the war, has passed the Senate. It authorizes the Secretary of the Navy to detail an officer of the Navy to attend to the compilation.

Mr. Gordon presented the petition of Generals Winfield S. Hancock, H. G. Wright, H. W. Slocum, and a large number of other officers of the Confederate, as well as the Union Army, praying that certain data regarding the battle of Gettysburg be collected and published. On motion of Mr. Gordon the following resolution was considered by unanimous consent and adopted: *Resolved*, that the letter of the Secretary of War, of March 12, and the resolutions of the Society of the Army of the Potomac of Dec. 3, 1878, regarding the preservation of the data concerning the battle of Gettysburg, and all the papers relating thereto, be taken from the files and referred to the Committee on Military Affairs; also, that the memorials upon that subject be referred to the same committee.

Mr. Wallace submitted the following resolution, which was considered by unanimous consent, and agreed to: *Resolved*, That the Secretary of the Navy is directed to inform the Senate how many paymasters are now upon the rolls of the Navy, and how many of such the laws authorize, and how and under what circumstances Paymaster Edward Bellows became dropped from the roll of such, with the record and proceedings affecting him, and how and under what circumstances he has been restored to the list of paymasters.

The following bills, etc., were introduced and referred to committees.

Military Committee.—By Mr. Groome, petition of Major A. W. Evans, 3d U. S. Cavalry, praying for the passage of an act by which he would be recommissioned a major of cavalry, of date December 20, 1866, instead of his present date of May 10, 1867. S. 1336, by Mr. Garland, for the relief of John Reid. S. 1347, by Mr. Windom, for the relief of E. Parliman. S. 1348, by Mr. Windom, for the relief of Jas. D. Wood. S. 1335, by Mr. Logan, for the relief of 1st Lieutenant Wm. H. Miller. S. 1375, by Mr. Paddock, for the relief of Capt. A. G. Girard, assistant surgeon, and Major David H. Brotherton, U. S. A., for property lost.

Committee on Commerce.—Report of Major Wm. E. Merrill, Corps of Engineers, upon a survey and examination of the Alleghany River. Joint resolution of the Maryland Legislature, asking an appropriation to deepen the entrance to the Annapolis harbor. Report from Major W. P. Craighill, Corps of Engineers, of various surveys; report of Major F. Harwood, in regard to harbor of Grand Haven, Mich.

Naval Committee House bills H. R. 4606, authorizing the nomination of Drs. Owen and Martin as Asst. surgeons U. S. Navy.

Foreign Relations.—H. Res. 110, 112 and 208, authorizing Lieut. B. H. Buckingham, U. S. Navy, 1st Lieut. (now Captain) Henry Metcalf, U. S. Army, and Gen. Francis A. Walker, Supt. of the Census, to accept foreign decorations. These resolutions have passed the House.

An important debate, and a decision still more important, as far as it goes, occurred in the Senate on February 25. Mr. White asked unanimous consent to have the bill to remove the disabilities of James Monroe Heiskell, of Baltimore, taken up. Heiskell entered the Confederate Army when a lad of 16 years, and served until the end of the war. Under section 1,218 of the Revised Statutes, he is ineligible to appointment in the Army, where he hopes for an appointment as Paymaster. Section 1,218 is as follows: "No person who has served in any capacity in the military, naval, or civil service of the so-called Confederate States, or of either of the States in insurrection during the late rebellion, shall be appointed to any position in the Army of the United States."

Mr. Heiskell is a great-grandson of President Monroe; his father was for many years Surgeon-General in the Army.

Mr. Whyte said: "I trust that this young man will not be put in the category of all those in the Southern Army, but that he will stand on his own merits, and that this bill will pass."

Mr. Edmunds, of Vermont, said: "He was old

enough to have a will of his own, and to render service to the enemies of the United States, the enemies of his own State, by leaving his State and the loyal side of the line (if it is proper to use the word 'loyal'—it has now got so unfashionable), and go on the other side of the line, and fight his own flag and the flag of his own State, borne gallantly by many a regiment from that State itself." He declared that it would be more frank and manly to call for a repeal of section 1,218.

Mr. Garland, of Arkansas, accordingly did call for that repeal offering an amendment to the bill.

Both sides accepted it; and then the question being on the third reading of the bill, as amended, it was determined in the affirmative—yeas 36, nays 28—a strict party vote, the Democrats voting yea and Republicans nay.

One more vote will be required before the passage of the bill; and before it could be taken the hour expired, and the bill went over to another day. It simply repeals section 1218, R. S., prohibiting the appointment of ex-Confederates in the Army.

Adversely Reported.—Committee on Military Affairs reported adversely on S. 1031 for the relief of Edward T. Benton. S. 853, to pay certain military organizations therein named. S. 933, for the relief of Lieut. Edw. S. Farrow, U. S. Infantry. Petition of M. W. Saxton, late 1st Lieut. 24th Infantry, asking to be restored. S. 1008, for the relief of Wm. A. Winder. This last bill, which provides for restoring Winder as Captain of Artillery, was recommitted to the Military Committee at the request of Mr. Blair, who urged that he had no opportunity to be heard by the Committee.

The Naval Committee has reported favorably H. R. 3826 for the relief of the heirs of Langley B. Culley.

The House has passed H. R. 4,607, authorizing the President to appoint Doctors Thomas Owens and William Martin assistant surgeons in the Navy, not in the line of promotion.

The bill simply carries out the recommendation of the Naval Examining Board, approved by the Secretary of the Navy.

The Naval Committee has reported adversely upon H. R. 2527, to authorize assimilated rank to warrant officers of the Navy known as ship carpenters. It has also reported H. R. 4608, for the relief of Passed Assistant Engineer Absalom Kirby, U. S. Navy.

H. R. 110, authorizing Lieutenant B. H. Buckingham, U. S. Navy, to accept a decoration conferred by the President of the French Republic for service in connection with the Universal Exposition in 1878 at Paris, and H. R. 112, authorizing Lieutenant (now Captain) Henry Metcalf, Ordnance Dept., to accept a decoration from the Sultan of Turkey, have passed the House.

A letter from the Secretary of War, relative to military posts on the Northern frontier, was received and ordered printed.

The following bills were received and referred:

Military Committee.—By Mr. Maginnis, memorial of the Legislature of Montana favoring the establishment of a military post at Henrip; Letter from Secretary of War transmitting petition of Private G. S. A. Nixon, Co. H, 5th U. S. Cavalry, to be retired; S. 296, for the relief of Surgeon E. P. Volumn, U. S. Army, taken from the speaker's table and referred to this committee, not to come back on a motion to reconsider; H. R. 4625, by Mr. Bingham, to provide for marking the positions of the regiments and batteries at Gettysburg; H. R. 4633, by Mr. Belford, to re-enact and continue in force the act of June 23, 1870, authorizing the settlement of the accounts of officers of the Army and Navy; H. R. 4648, by Mr. Bingham, for the relief of Captain Nathaniel R. Harris; H. R. 4679, by Mr. Le Fevre, "to adjust and equalize promotion in the Army to length of service." The text of this bill is as follows: *Be it enacted, etc.*, That whenever any commissioned officer of the Army below the rank of Colonel, shall have served under one commission, or in case of having been transferred from one corps or arm of service to another, under more than one commission, but in the same grade, for 15 years consecutively, he shall have the rank, pay, and allowances of the grade next above that in which he shall have so served for such period without promotion; provided that nothing herein contained shall authorize any increase in the whole number of officers in the Army, or any corps or regiment thereof, as now allowed by law.

H. R. 4717, by Mr. Bouck, for the relief of John Hancock. Also the following resolution submitted by Mr. Covert: *Resolved*, That the Secretary of War be, and he hereby is, requested to transmit to this House a statement as to whether any of the cadets at the United States Military Academy at West Point who were recommended for dismissal from said academy by the academic board or other officers of said academy during the past or present year have been reinstated in said academy, or whether what is technically called "turn-backs" have been granted them or any of them; and if such reinstatement or other favorable action has been taken in any of such cases, whether such action was in accordance with a recommendation of said academic board, or otherwise; and if such reinstatement or other favorable action was not made in pursuance of the recommendation of said academic board, what reasons, if any, existed for such action.

Committee of Claims.—By Mr. Talbot, papers relating to the claim of John Boyle, for pay as Acting Secretary of the Navy during the years 1831-8.

Committee on Appropriations.—Letter from Secretary of War, relative to the purchase of Ringgold Barracks, Texas.

Committee on Invalid Pensions.—H. R. 4651, by Mr. Bingham, to place Philip J. Langer on the retired list of the Navy.

Committee on Interoceanic Canal.—Resolutions of Mr. Warner, reaffirming the "Monroe doctrine," and declaring "that the control of any interoceanic canal across the Isthmus of Darien, while open to us and all

nations equally, must, in the interest of ourselves and the world, be kept under the special protection of the United States" which "will cordially promote, by such means as may be deemed proper and judicious, such an undertaking."

TEXT OF BILLS BEFORE CONGRESS.

S. 616, introduced May 19, 1879, and referred to the Committee on Naval Affairs, was, February 18, 1880, reported by Mr. Anthony, and amended so as to read as follows: *A bill to promote the efficiency of the Navy*.

That whenever, on an inquiry had pursuant to law concerning the fitness of an officer of the Navy for promotion, it shall appear that such officer is unfit to perform at sea the duties of the place to which it is proposed to promote him, by reason of drunkenness, or from any cause arising from misconduct or want of capacity not caused by or in consequence of the performance of his duty, he shall not be placed on the retired list of the Navy, and he shall be discharged from the service, and in that case he may, by order of the President, be allowed and paid the pay of his grade for not longer than two years next after such discharge.

S. 1039, introduced May 15, 1880, and referred to the Committee on Naval Affairs, was, February 18, 1880, reported by Mr. Whyte with amendments, as follows: *Be it enacted, etc.*, That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, from the officers of the Navy or the Marine Corps on the active list, a judge-advocate-general of the Navy, with the rank, pay, and allowances of a captain in the Navy on shore duty, or a colonel in the Marine Corps, as the case may be, and he shall hold his office for the term of four years. And the office of the said judge-advocate general shall be in the Navy Department, where he shall; under the direction of the Secretary of the Navy, receive, revise, and have recorded the proceedings of all courts-martial, courts of inquiry, and boards for the examination of officers for retirement and promotion in the Navy and the Marine Corps, and perform such other duties as have heretofore been performed by the solicitor and naval judge-advocate general. Amend the title so as to read: "A bill to authorize the President to appoint an officer of the Navy or the Marine Corps to perform the duties of solicitor and judge-advocate general, and so forth, and to fix the rank and pay of such officer."

S. 1296, referred to the Committee on Military Affairs, Feb. 16. A bill for the relief of William P. Hogarty. *Be it enacted, etc.*, That the proper authorities be, and they are hereby, directed to place the name of William P. Hogarty upon the retired list of Army officers, with the full rank of captain, mounted, instead of second lieutenant, the rank now held by him on said retired list, he having, in addition to the loss of an arm from wounds received in the mounted service, lost his hearing while performing duties equivalent to those of a captain, mounted.

S. 1299, referred to the Committee on Military Affairs, Feb. 16. A bill for the relief of Francis S. Davidson. *Be it enacted, etc.*, That the President is hereby authorized to appoint Francis S. Davidson a first lieutenant in the 9th Regiment of Cavalry, United States Army, to be assigned to the first vacancy occurring in said regiment, and to rank as such from the 8th day of December, 1875; this appointment to carry with it no pay-compensation or allowance whatever for any time that he has been out of the service of the United States.

S. 1319, reported by the Committee on Military Affairs, February 17, 1880. *Be it enacted, etc.*, That all moneys which have accrued or may hereafter accrue from the labor or from the proceeds of sales of articles produced by the labor of the prisoners confined in the military prison at Fort Leavenworth, Kansas, may be applied to the support and maintenance of said prison and expended under the orders of the Secretary of War without further appropriation by Congress: *Provided*, That all such moneys shall be reported and accounted for in the same manner as though they had been specifically appropriated.

S. 1331, reported, February 18, 1880, from the Committee on Military Affairs. *Be it enacted, etc.*, That when an enlisted man has served as such thirty consecutive years in the United States Army, honorably and faithfully, and the last fifteen years thereof as a non-commissioned officer, he shall, if he makes application therefor to the President, be retired from active service, and placed on the retired list hereby created, with the non-commissioned rank held by him at the date of retirement. Sec. 2. When an enlisted man has served as such thirty-five consecutive years in the United States Army, honorably and faithfully, and the last fifteen years thereof as a non-commissioned officer, he may be retired from active service at the discretion of the President, with the non-commissioned rank held by him at the date of retirement. Sec. 3. Non-commissioned officers retired from active service shall receive seventy-five per centum of the pay and allowances of the non-commissioned rank upon which they are retired.

S. 1333, February 18, 1880, referred to the Committee on Pensions. *Be it enacted, etc.*, That there shall be allowed and paid to Mrs. Maria A. Rousseau, widow of Brigadier General Lovell H. Rousseau, the sum of twenty dollars per month, from the death of her husband on the 9th day of January, 1869, to the date of the act passed by the Forty-fourth Congress giving to her an increase of pension at the said rate of twenty dollars per month.

S. 1339, February 19, 1880, referred to the Committee on Military Affairs. A bill concerning details from the Army. *Be it enacted, etc.*, That no regimental or company officer shall be detached from duty with his regiment or company for more than three years, consecutively, and any officer heretofore or hereafter detailed, who shall be returned to duty with his company or regiment under the provisions of this bill, shall not be again detailed except temporarily, and not then for a period of more than sixty days, until after the expiration of three years from his return to his company or regiment.

S. 1355, February 24, 1880, referred to the Committee on Military Affairs. A bill for the relief of First Lieutenant William H. Miller. *Be it enacted, etc.*, That the Secretary of War is hereby authorized and directed to amend so much of the order dated June 28, 1878, retiring First Lieutenant William H. Miller from active service, that the same may date from and take effect upon July 20th, 1878.

S. 1364, February 24, 1880, referred to the Committee on Military Affairs. A bill for the relief of Edwin Mauck, of Crisfield, Maryland. *Be it enacted, etc.*, That the President of the United States be, and he is hereby, authorized and empowered to reappoint Edwin Mauck, of Crisfield, Maryland, a captain in the cavalry arm of the service; and that, when so appointed, said Mauck shall be assigned to the first vacancy of Cavalry in the grade of captain that occurs in the Sixth Regiment of Cavalry, United States Army. (Mauck was mustered out of service in 1871.)

THE CANYON CITY NEWS protests against the abandonment of Fort Harney, and predicts that if the settlers are left to protect themselves against the redskins, many good Indians will peacefully slumber in that county.

SOME PERSONAL ITEMS.

ASSISTANT ENGINEER GEORGE S. WILLETS, U. S. Navy, did not resign from the Navy, and afterwards withdraw his resignation as stated. He has been confounded with another officer of nearly the same name, Asst. Engineer A. B. Willets.

In the absence of Secretary Thompson Senator Windom presided at the 46th anniversary of the Congressional Temperance Society, held in Washington on Sunday. Letters were read from ex-Secretary McCrary, and from Secretary Thompson, who was in New York attending a meeting of the New York Sabbath Committee, where he made a most earnest argument in favor of conformity to what is called Sabbath legislation. "I come here," said the Secretary, in conclusion, "because I have an interest in this cause. I want to see the influence of the people of New York go forth in the land. This work with me has been carried on for 30 years, and I shall neither forget it nor abandon it for the next 30 years to come." On Saturday evening the Secretary delivered in Brooklyn his interesting lecture giving reminiscences of his Congressional associations with Clay, Webster, Adams, and others. He was the guest while in Brooklyn of Paymaster J. H. Stevenson, U. S. Navy.

AMONG the latest publications received at the Congressional document-rooms for distribution are over 50 reports from the House Committee on War Claims against the allowance of as many claims. These reports are upon claims amounting to nearly \$2,000,000, and most of the property for which payment is sought was destroyed or used by Union soldiers during the war.

FRANK H. BATES, M. D., son of Captain and Brevet Major Francis H. Bates, U. S. Army, died in New York on Friday, the 20th inst. His funeral was attended on the 24th by the members of Co. G, 7th regiment, N. Y. N. G., to which he belonged.

EX-PRESIDENT GRANT and his party arrived on Saturday night, Feb. 21, at the City of Mexico, which was illuminated. If the facilities for travel are good, they talk of returning by way of San Francisco. Otherwise they will come through Texas.

AN excursion party left Philadelphia, Feb. 21, to visit the Training-school for Indian Youths at Carlisle Barracks, Pa., under the auspices of the Indian Committee of the House of Representatives. Invitations were issued to the Secretaries of the Interior and War Department, and Gen. Sherman and other prominent officials.

THOMAS B. NICHOLS, of the class of '72 at West Point, has been tendered the position of Professor of Military and Civil Engineering of the National School at Bogota, United States of Colombia. Mr. Nichols is, and has been, for a long time connected with the large iron manufacturing works of Carnegie Bros. and Co. at Pittsburgh, Penn.

The N. Y. *World*, Feb. 24, says: "Capt. Satterlee Plummer, late of the *World*, and recently reappointed to the Army, leaves to-night to join his regiment, the 1st Infantry, on the western frontier of Texas. Capt. Plummer distinguished himself in several campaigns against the Indians, and attained a higher rank than any other officer of his age in the Service. His reappointment in the Service was accompanied by certificates of his professional and personal merit from the department, the General of the Army, and the officers under whom he had served."

COL. SHAFTER and Lieut. Shafter, of Fort Randall, were reported, Feb. 19, enjoying a fishing excursion up Choteau Creek, which is said to be alive with vigorous pickerel.

THE YANKTON *Press* and *Dakotian* says: "By the ARMY AND NAVY JOURNAL it appears that Quartermaster F. E. Pierce, of the 1st Infantry, was nominated captain on the 5th inst., vice Capt. R. E. Johnston, deceased. This promotion was expected, but that will not prevent the people of this locality from congratulating Capt. Pierce." The same paper, Feb. 19, says: "Lieut. O'Connell, of the 1st Infantry, is out on the road with a squad of men repairing the military telegraph line between Fort Randall and Fort Sully. The poles along this line are destroyed for fuel about as fast as they can be replaced, and a permanent repair detail would hardly be able to keep up uninterrupted telegraphic communication."

THE Middletown *Press* tells touching story of a long-lost brother, "Gideon B. Green," who returned to his family after disappearing for twenty-five years. It says: "As the family were seated about the fireside in their home in Jersey City in the evening, a middle-aged stranger, wearing the uniform and insignia indicating an officer in the United States Navy walked into the house and asked for accommodations for the night. On being politely informed that they were sorry they could not accommodate him, he pleaded the similarity of name, and yet neither the sister nor mother recognized him, and he finally had to disclose himself by saying, 'I am Gid Green.' " "Gid Green" may be a genuine long-lost brother, but he is not entitled to wear "the uniform and insignia of an officer of the U. S. Navy," as there is no officer of that name in the naval service.

GEN. HANCOCK responded to the toast of "The Army of the United States," at the meeting of the Society of the Cincinnati in New York on Washington's birthday, and Commodore Nicholson to that of "The Navy." Messrs. Manning and Ogden answered for "Our Sister State Societies," and Gen. John Cochrane for "The Principles of the Cincinnati." Gen. Silas Casey was also called upon to respond to the toast, "The Army of the United States." He said:

During the 104 years of our National existence, the Army of the United States, with a very few exceptions, has ever been true to the flag which represents the sovereignty of the National Government, in accordance with the Constitution. Whether called upon to combat a savage foe, for 6 long years, in the swamp and morasses of Florida, to urge constant warfare on the arid plains and in the mountain gorges of

the great West and Northwest—or in the inaccessible retreats of the Pacific Coast—or to advance with 10,000 men under Gen. Scott from Pueblo into the Valley of Mexico (an event which history will yet make as celebrated as the retreat of the 16,000 under Xenophon), and there cut off from its base of supplies by 250 miles of hostile country, by the aid of some reinforcements, to dictate the peace of Guadalupe Hidalgo to a nation of 6,000,000 within three miles of her capital city: to combat a gigantic rebellion which sought the life blood of the nation; to assist the State authorities of several of the States in suppressing labor contests of an exceedingly grave character; the Army has ever exhibited a self-denial and devotion to duty, unsurpassed by that of any nation on the face of the earth. It needs no monument to perpetuate its deeds, for they are written in the annals of the country, and in the hearts of her people, and there they will remain as long as the nation lives. But the whole military force of the country alone cannot save the liberties of this country. To maintain a Republican Government, more knowledge and virtue (among the masses) is required than in one where the people are less free. Without a large dissemination of knowledge and virtue among the masses—I mean that virtue which is derived from the teaching of God's word—time will, it is feared, witness the loss of either our liberties or our civilization. Brethren of the Cincinnati, we are the descendants of those who assisted at the birth of a mighty nation. God grant that, as we pass down the stream of time, our successors after us may ever inculcate those principles which, while upholding the glory of our ancestors, will assist to perpetuate the liberties of our country.

THE Bonapartist General Vinoy has been dismissed from the Grand Chancery of the Legion of Honor.

MAJOR CHARLES DAVIS, 10th Infantry, is to be married on March 18 to a young lady in Cooperstown, N. Y.

MR. JAMES GOODFELLOW, the father of Colonel Henry Goodfellow, J.-A., U. S. Army, died in Philadelphia last week.

A RECENT work "About Grant," by Mr. John L. Swift, published by Lee and Shepard, Boston, gives in condensed and readable shape many remarkable facts in the civil and military history of its subject. That Mr. Swift is an intense admirer of the General is evident from the concluding paragraph of his work. He says: "Such a man, if ever, is now a national necessity. As the nation moves forward to unfold the genius of government—born on the deck of the *Mayflower*; as she seeks to realize for man the rights promulgated in the charter of independence; as she strives to hold to the sublime purpose for which the blood of her children was consecrated; and as she struggles for that equality sacredly ordained in the amended Constitution, she asks: 'Who shall lead on?' The answer is upon the lips of millions of patriotic citizens, 'Let us once more be led by Grant.' " To which perhaps the General will say, as Daniel Webster is reported to have exclaimed, in answer to a eulogy pronounced upon him by an admirer in the U. S. Senate, "Git out."

THE order summoning Major Asa Bird Gardner, J.-A., U. S. Army, to Washington, having given rise to a false rumor, the Washington *Star* says: "The report telegraphed from here that Gen. Sherman has ordered Major Asa Bird Gardner from Governor's Island, New York, to Washington, to oppose the bill for the relief of Gen. Fitz John Porter, is wholly incorrect. Several days ago a number of Congressmen made a written application that Major Gardner, who was judge-advocate of the Fitz John Porter Board of Inquiry, be granted leave of absence to come here and explain certain features connected with the record of the court. Gen. Sherman forwarded this application to Gen. Hancock, with his endorsement, provided the services of Major Gardner could be spared."

GOV. McCLELLAN has signed the bill just passed by the Legislature of New Jersey transferring the Phil. Kearny statue from Trenton to Newark. The State still owns the statue, but the people of Newark have agreed to defray the cost of maintaining it on a handsome pedestal in Military Park.

GEN. HATCH, commanding the District of New Mexico, is in Washington.

THE death of Lieut. E. H. Shelton, of the Army, is thus described in an Oregon paper: On Monday, the stage bound for Roseburg passed Levens' station about 11 o'clock P. M. There were four passengers. The Lieutenant was riding on the outside with the driver. About an hour after the coach left the station the driver got off the box to cut a log out of the road. Lieut. Shelton, complaining of being chilly, then took an inside seat. He was immediately taken with a congestive chill, and in fifteen minutes more was a corpse.

EX-NAVAL CONSTRUCTOR HANSCOM is reported to be seriously ill at his residence in Washington.

LIEUT. THOS. GARVEY, 1st Cavalry, left Omaha, Feb. 20, bound westward with seventy recruits.

LIEUT. FRED. W. FORTER, 5th Cavalry, arrived in Omaha from Fort Russell, Feb. 20.

A "LOVER OF KNOWLEDGE" on the Pacific Coast writes us that "Commodore Calhoun, of the Mare Island Navy-yard, can boast of the most intelligent orderly in the U. S. Navy. He is a fine musician; plays on nearly all musical instruments; he reads and plays music at sight; is a composer of some note; he is a fine singer, a graceful dancer; he speaks three or four different languages; is a druggist, chemist, and botanist. There is not a shrub, tree, or plant on the island but what he is familiar with its name and mode of cultivation. He writes poetry for and corresponds with several newspapers. In addition to his present store of knowledge, he has a set of scientific works, to which he applies all time when off duty."

LIEUTENANT G. F. E. HARRISON, 2d U. S. Artillery, who recently returned from a trip to Europe, was in New York this week, but will leave in a few days for his station at Fort Johnston, North Carolina.

THE fact that the Hon. Richard Westenra, a brother of Lord Rossmore, has been raised from the ranks of the Fourth Dragoon Guards to a commission as 2d Lieutenant in the

Ninth Lancers, has made some stir in England. It appears that four or five years since he went up for a competitive commission, and, failing to get the required number of marks, enlisted as a private soldier. It now turns out that there are at this moment fourteen sons of noblemen privates in the Life Guards under similar circumstances.

THE Laramie (Wyoming) *Sentinel* says, of Captain Lawson's application for a Court of Inquiry into the Milk River fight: "If this appeal is not heeded, Congress will be asked to take hold of the matter, for our western people are tired of this way of doing things, and want to see justice done if the 'heavens fall.' Modesty, one of the claims of courage, seems to have been the reason why Captain Lawson, of the 3d Cavalry, has not asked before for the true facts in the case, and would not now but to secure for his company and regiment the credit due them. Even the General of the Army, in his report, ignored the name of Captain Lawson and it remained for the Legislature of Wyoming to see that the old hero was recognized, and it is to be hoped that General Sherman will not allow other officers to claim the laurels, and secure rewards to which they are not entitled."

A CORRESPONDENT who relishes a "joke," writes us, that one of the recently appointed 2d lieutenants, who failed three times before the Army examining board, passed West on the Union Pacific, about a week ago, with recruits. He certified on the transportation order, that the "Pullman Palace Car Co. has furnished me with one birth"—the i being dotted.

WASHINGTON's birthday was too much for Private Jacob Ohrlein, of the 3d Artillery, who, getting leave of absence, came to New York, and had the following adventure, as related by the daily papers:

He imbibed freely, and while under the influence of liquor, marched, in full uniform, into the shoe-store, No. 233 Church street, and ordered Frederick Koppe, the shoemaker, to mend his shoes instantly. Koppe demurred, on the ground of other and more important business. At this Ohrlein became enraged, and began to throw the furniture about, and finally drew a revolver and pointed it at Koppe's head. The frightened shoemaker fell on his knees, and begged for mercy. A companion, fearing danger, ran into the street and cried murder. Ohrlein rushed from the store to the street, where, after a sharp chase, he was captured by two police officers. He was arraigned in the Police Court, and held to await trial for the careless use of fire-arms. His bail was fixed at \$300.

CAPTAIN HENRY WILSON has made an official report to the Navy Department, in relation to the gallant conduct of Ensign L. K. Reynolds, in connection with the rescuing of the crew of the Austro-Hungarian barque *Olive*. He says:

Ensign Reynolds had charge of the 1st whale boat, and was the only one who communicated with the barque. The 2d whale boat, owing to the heavy sea, failed to get within hail. After making two trips, and bringing to the *Constellation* nine men of the crew of the *Olive*, he (Mr. Reynolds) volunteered to return and bring off the three men remaining on the barque. Before leaving in the last boat, I directed Mr. Reynolds either to scuttle or fire the barque, to ensure her sinking, as she was in the track of vessels and dangerous above water. Owing to the heavy sea running, Ensign Reynolds could not go alongside the barque, but jumped overboard, swam to the vessel, fired her in two places, swam to his boat again, and returned to the *Constellation* with the last of the crew of the *Olive*. To the good judgment and skillful handling of the boat by Ensign Reynolds, is due the fact that no accident happened either to the rescued or the rescuing party.

Mr. Reynolds, we may add, is the son of the present 1st Auditor of the Treasury.

Two blades of the old propeller of the United States steamer *Hartford* have been sent from Boston to the Navy-yard at Washington to be used in casting in the statue of Admiral Farragut. These pieces of old bronze were selected because they belonged to the screw of the *Hartford* when the flagship of Admiral Farragut during the battle of Mobile Bay.

In the Hartford *Courant*, of February 19, K. F. describes some recent parties in Washington as follows: Admiral Porter also gave a reception from 4 to 6, with dancing from 6 to 9, on Monday evening. Admirals were naturally quite numerous, and the host and Admiral Boggs made one think of Brownell's poem, "The River Fight." Admiral Boggs was the commander of the *Varuna* at New Orleans, which was run into by two rebel rams, but he gallantly sunk them both, and then his own vessel went down, and now lies there beside her two enemies. The house is very large and filled with beautiful things, such as a sailor has a chance to pick up in all the odd corners of the earth, better than any other man. The President and Mrs. Hayes gave a grand reception to the diplomatic corps Tuesday night, like what they gave last year about the same time. Uniforms were thickly dotted in among the civilian dresses, and in five minutes we saw General Van Vliet, General Townsend, Admiral Porter, and General Potter, and in another moment somebody pointed out General Myer, saying, "there is Old Probabilities—there is the weather." I did not know him, but I had met the weather's wife and found her very charming, and I think she may have used her gentle influence to bring about the pleasant evening which made things so much more agreeable than if the snow threatened in the morning had fallen.

The Vancouver *Independent*, of February 12, has these items: We are glad to notice Capt. H. H. Pierce, U. S. A., out again. Gen. and Mrs. O. O. Howard celebrate their silver wedding on the 14th inst. Captain and Mrs. Evan Miles, 21st Infantry, are spending the winter in Washington City. Lieut. E. S. Farrow, 21st Infantry, has returned to Walla Walla, by the overland stage route. A detachment of military convicts, sentenced to imprisonment at Alcatraz Island, left by last steamer for San Francisco, in charge of Assistant Surgeon C. H. Heizmann, U. S. A.

CHARLES GAYARRE, of Louisiana, in a letter to Representative Gibson shows that the archives of Seville contain secret

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correspondence of Gen. Wilkinson, Dr. White, Col. Dunn and others who accepted money from the Spanish Minister at Washington for the annexation of Kentucky and Tennessee to the then Spanish colony of Louisiana.

REV. CLARKSON D. AYERS, pastor of the Free Will Baptist Church at Hartford, Conn., has a new count against Fitz John Porter. "I want to ask Fitz John Porter," he says, "if he remembers the second battle of Bull Run, and how I caught him only two nights previous in conversation with three rebel generals, one of whom was Robert E. Lee. It was about eleven o'clock, and, as I came upon him suddenly, he asked me what I was doing out there at that time of night, and told me, as I valued my life, to say nothing about seeing him out there. I saw Fitz John Porter with my own eyes talking with some rebels on the eve of the battle." Either Rev. Ayers is a victim of the nightmare or else he has extraordinary capacity for keeping a secret. What has he been doing with this extraordinary bit of information all these years?

BREVET LIEUT.-COL. JAMES THOMPSON, U. S. A., died week before last at the residence of his mother-in-law, Mrs. Frances Parker, on Taylor street, Newport, Ky., after an illness of many years. He was born in 1828 in Delaware county, New York, and entered the Military Academy July 1, 1847, graduating No. 6 in the class of 1851, and being assigned to the 2d Artillery. He served in garrison duty at Newport Barracks, Fort Moultrie, and in New York Harbor, and in 1854 was appointed assistant professor of mathematics in the Military Academy at West Point, where he remained nearly four years. In 1858 he was ordered to Fort Independence, in Boston Harbor, where he contracted lung disease. In the same year he was ordered to Fort Brown, Texas. During the rebellion he distinguished himself, and, as captain in the 2d Artillery, of date June 14, 1861, took part in the first battle of Bull Run, and throughout the campaign of the Army of the Potomac to Harrison's Landing. He was brevetted major for gallant and meritorious service at the battle of Glendale. Then he took his battery to the West, serving with distinction there, and being brevetted lieutenant-colonel for gallant and meritorious services at Chickamauga. Afterwards he was put on mustering, disbursing, and recruiting duty, and in 1866 was assigned to the Freedmen's Bureau in Nashville. In 1869, May 6, he was retired for "disability resulting from long and faithful service." The next year he accepted the professorship of military science and civil engineering in the Indiana University, Bloomington. In 1876 he resigned and went to Newport, Ky., again, as his lung disease has increased. His long illness he bore with Christian resignation, and passed away in Christian hope, Feb. 13, 1880. He was married to Miss Julia M. Taliferro, daughter of John M. and Frances Taliferro, at Newport, Ky., who remains with two children. His son, John Taliferro Thompson, is in his second year at West Point.

SAML. W. VERY, U. S. Naval Academy, and Gen. H. G. Gibson, U. S. A., are reported in Baltimore this week.

An effort is making in San Francisco to erect some fitting memorial over the grave of Col. E. D. Baker, who fell at Ball's Bluff.

LIEUT. ARMSTRONG, of the 1st Inf., was reported in Yankton, Feb. 17, on his return to his post at Fort Randall from a trip to Deadwood, where he was summoned as a witness before the District Court.

THE ST. PAUL PIONEER PRESS says: "The portrait of Thomas, painted by Gen. S. W. Price, of Kentucky, for the Veteran association of this State, was received yesterday. It will be transferred to the hall of the House of Representatives and placed by the side of the portrait of Gen. Sherman, where the present as well as coming generations will have an opportunity to look upon the features of the skillful, well-rounded, self-poised soldier, the hero of Chickamauga, Nashville, and other bloody fields—the distinguished commander of the Army of the Cumberland."

GEN. CARLOS BUTTERFIELD, a veteran of the Mexican war, died at Washington, Feb. 14.

THE Washington correspondent of the St. Paul Pioneer Press says: "Mrs. Gen. Sherman is very active in securing subscriptions for the hungry sufferers in Ireland, and is seconded in her efforts by Mrs. Jean Lander, who was once a famous actress, but is now living in a pretty cottage on Capitol hill educating her children. Mrs. Sherman, Mrs. Lander, Mrs. Gen. Dunn, Mrs. Admiral Porter, and other ladies who are well known are now engaged in getting up a dramatic entertainment in which Mrs. Lander and her children will have a part—the little Landers inherit the dramatic talent of their mother."

M. DE LESSEPS has arrived in New York, and accepted an invitation to a citizens' dinner for Monday, March 1. A reception will be given at 6 o'clock, and dinner promptly at 7 o'clock, at Delmonico's. He was entertained by the Society of Civil Engineers on Wednesday evening, and gave an interesting account of his canal project.

ASST. SURG. ROBERT WHITE, of the United States Marine Hospital Service, died Feb. 24 at Bedloe's Island, N. Y. H., of phthisis pulmonalis, at the age of 32 years.

FEODOR-NICOLAIEWICZ GLINKA, the Russian author, recently died in St. Petersburg, at the advanced age of 92 years. Born in 1788, he was trained for the army, and when but a lad of 17 served as an officer in the campaign of Austerlitz. He has long been recognized as one of the best military writers of Russia.

THE seventh annual convention of the National Association of Mexican Veterans was held at Norfolk, Va., Feb. 23. Gen. Denver was elected president for two years. Capts. J. E. Jouett and S. P. Quackenbush were elected vice-presidents in

behalf of the Navy, and Gen. Geo. W. Getty and Col. Wm. Chapman in behalf of the Army, Lieut.-Col. John W. Broome and Maj. Wm. B. Slack to represent the Marine Corps, and Osmond Peters and Capt. John McGowan the Revenue Marine. The vice-presidents for the States and Territories, with the exception of Kansas, New Jersey, Ohio, Oregon, Pennsylvania, and Virginia, remain the same as last year. For Pennsylvania the new vice-presidents are C. F. Sergeant and Col. Robt. Klotz: for Virginia, Maj. J. F. Milligan and Capt. R. B. Pegram. The next annual meeting will be held at Louisville, Ky.

GEN. GEORGE W. CUTLUM, U. S. A., has prepared for private circulation a biographical sketch of Capt. William H. Swift, of the Topographical Engineers, who entered the military Academy in 1813, and after being commissioned in 1819, served in various important positions until his resignation in 1849. After that, until his death in New York City, he held many prominent positions in connection with the canal and railroad interests of the country. He was a son of Surgeon Foster Swift, U. S. Army, and a brother of Gen. Joseph Gardner Swift, the first graduate of the U. S. Military Academy.

THE George Washington Post of the Grand Army celebrated Washington's birthday by a supper at Delmonico's, New York, Tuesday evening, Feb. 21. Among those present were Generals Schofield, Sickles, and Sweeney; Col. H. G. Litchfield, and Capt. Alfred B. Taylor, U. S. Army. Commanders McCook and Wiltsie, Lieut.-Comdr. Chadwick, and Lieuts. C. H. Stockton and Grimes, U. S. Navy. Among the ex-officers present were Generals M. T. McMahon, J. W. Hull, F. T. Locke, E. M. McCook, Kilburn Knox; Col. Chas. and W. P. C. Treichel, Chas. R. Coster, Wm. C. Church; Capt. W. S. Starling, J. C. Reid, Ivan Talof, and Mr. Edgar T. Welles. A most interesting discourse on Washington was read by ex-Governor E. M. McCook.

An officer writes us from Washington:—"Fitz John Porter told me yesterday that there was not a word of truth in the report that he had said he was willing that his case should be postponed; neither have Porter's friends said so. The truth is, 'one party is afraid and the other daren't.'"

ARRIVALS AT THE EBRIET HOUSE for the week ending Feb. 25th, 1880. *Army*—Lieut. Thos. H. Barry, 7th Cavalry; Lieut. Hamilton Rowan, 2d Artillery; Lieut. J. Estcourt Sawyer, 5th Artillery; Colonel Daniel McClure, Paymaster; Dr. C. C. Byrne, Major M. D. *Navy*—Pay Inspector Rufus Parks, Midshipman Perceval J. Werlick, Lieut. H. S. Waring, Asst.—Paymaster Collender L. Lewis, Cadet Engineer W. B. Dunning.

Officers registered at the War Department for the week ending February 26, 1880:—Major John W. Barriger, C. S.; Lieut. Jas. L. Wilson, 4th Arty.; Lieut. Wm. A. Dinwiddie, 2d Cavalry; Lieut. W. E. P. French, 3d Infantry; Colonel P. V. Hagner, Ordnance; Major E. V. Sumner, 5th Cavalry.

Lieut.-Colonel Wm. Chapman, retired, is visiting Washington. His many friends will be glad to hear that he is in excellent health. There were few men in the old Army who had more or more devoted friends than "Bill Chapman," as he was familiarly called.

THE wife of Captain and Brevet Major Thomas H. Norton, on the retired list of the Army, died at Hammondsport, N. Y., February 26.

MISS ADELAIDE EADS, daughter of Capt. James B. Eads, was married February 26 to Gen. John G. Hazzard, late of the Volunteer Army. The ceremony was at Capt. Eads's home. The bride and groom are on the way to Providence, R. I.

COL. JOHN S. MOSBY enlivens the State Department with his sharp criticisms on some of his fellow consuls. In answer to some complaint of Mr. Studer, U. S. Consul at Singapore, Mosby says: "Mr. Studer informs the department that he served in the Union Army, and he imagines me to be his enemy on that account; in other words, that while I have long ago been reconciled with such soldiers as Grant, Sherman, and Hancock, I am unable to forgive the warrior at Singapore. Now the fact is, I never knew he had been a soldier until I read his letter. I am informed he is a Swiss, and I have no doubt that, with the characteristic aptitude of his race, he went to the highest bidder, and fought, if he did any fighting, like Dugald Dalgetty, for provender and pay." As to some of Studer's charges he says: "First. That I profess to be proud of my military record, and that I related some of my guerrilla exploits with great gout." This is true. Second. 'That I feel ashamed of being classed with United States consuls in the East.' This is also true, with the qualification that I never embraced by any means all the United States consuls in the East, but only such men as Bailey, Loring, Sickles, Torry, and Studer. . . . It is absurd to talk about any moral taint attaching to men on either side in the war, especially when we see both sides represented in the cabinet of the President. It is said that the judgment of foreign nations is the judgment of posterity. I think I have been treated with as much consideration abroad as if I had fought for the Union, and I know I was as proud of the honors paid to Gen. Grant as any man that ever followed him to battle. If, however, the department desires to know whether my deportment and conversation have been offensive to those to whom I was opposed in the conflict of arms, I would refer it to Gen. Grant and Gen. Stael, and the officers of the American Navy whom I met in the East."

THE Brooklyn Daily Eagle of Feb. 23 heads seven of its ample columns with an article which it heads as follows: "Hancock—The Brilliant Record of an American Soldier—A Man on Whom all Democrats Might Consistently Unite for President—The Hero of a Hundred Battles and Skirmishes—Hew Winfield Scott Hancock Served his Countrymen in Three Wars—The Gallant but Unassuming Commander on Whose Judgment the Fate of the Republic has Rested—Williamsburg, the Seven Days' Fight, Antietam, Fredericksburg, Chancellorsville, Gettysburg, the Wilderness, Spottsylvania, Coal Harbor, Petersburg—Not a Soldier Only, but a Clear Head, Judicial Statesman—How He Ruled Louisiana and Texas as Military Governor—Subordinating the Military to Civil and Constitutional Methods—The Controversy with Governor Peace—One of the Country's Benefactors Whom it is Well to Remember on the Anniversary of Washington's

Birth." Introducing its subject the *Eagle* says: "Living at the very gateway of Brooklyn, on the Island that divides the East River, there is a man whose name is suggestive of patriotism and statesmanship. Its very mention fills the imagination with pictures of a hundred battle-fields, in the smoke of which is a heroic figure, performing great deeds for the country. It is a man whose supreme fortune it more than once has been to have depending on his quick decision and quicker action the result of momentous battles, and on one occasion the greatest conflict of the country, if not of modern times. It is a man who in such a crisis never faltered and never failed, but executed the unparalleled trust with transcendent wisdom. It is a man to whose rule was confined a large territory lately in rebellion, unreconstructed and disaffected, and who, by his delicacy and firmness, by his subordination of military methods to those constitutional and civil, set the true example of reconstruction which others, to the country's great loss, refused to follow. This man is Winfield Scott Hancock, and the object of this sketch is to freshen in the minds of his countrymen deeds which have made them his debtors, and the remembrance of which will live as long as the free institutions for which they were performed."

A PARIS correspondent of the New York *World* says: "Mr. St. Gaudens, the sculptor, has completed his statue of Farragut for Union Square. It is now ready to be sent to the modeller and castor, and when they have done with it you will have one fine monument at least in New York. The figure is of colossal proportions—about 9 feet high. The Admiral stands upright, in uniform, and wearing his service cap. He holds in one hand a large double-barrelled shotgun. The attitude is perfectly easy and graceful; the feet are somewhat apart; the old sailor in fact, stands in sailor fashion on his sea legs. The face is striking. It is at once a portrait and a good typical study. The whole figure is simply and massively treated; it is on the colossal scale in technique as well as in actual proportion. This is not all; it looks well from every point of view. The pedestal will be at least as broad as it is high, and at the base there will be room for two figures of Courage and Loyalty, which the sculptor has not yet begun. Apropos of the nickname, by which Farragut was known in the Service, there is a tiny figure of a salamander at the base of the statue. Mr. St. Gaudens already has a great and deserved reputation in America, but this work will decidedly add to it. I have seen nothing finer of its kind, even in France, and in saying that I say all."

A CORRESPONDENT of the *Gaulois* reports that the thought of her dead son has become a simple monomania with the Empress Eugenie. As the result of her careful investigation she condemns Capt. Carey. She is reported as saying of the dead Prince: "The wounds on his arm show the severity of the struggle. He had an instinctive habit of covering himself with his arm. Often, when he was quite a little boy and we were playing together, he used to raise it like a buckler at the least sign of attack. When Capt. Carey returned to England he asked to see me, me, the mother of him whom he had abandoned! I can understand to a certain point why a murderer should wish to see the mother of a man he has killed. For my part I could even look on the Zulus without anger, though not without sorrow and pain. These men killed my son, but he might have killed them in his turn. It is the law of war. But as for the man who left him to his fate I have never seen him and I never will see him." The Empress said this with extraordinary agitation, and to recover herself she took up the manuscript notes found in the Prince's pocket-book on the very day of his death, and with the aid of a magnifying glass read out the faint pencil entries. "Going with Carey" is about the last of them. "There is only one thing," resumed Her Majesty, "in Capt. Carey's narrative which seems at all probable. 'The Prince,' he says, 'just before starting asked for ten minutes' delay.' That was a habit with him. He always asked for ten minutes, and he carried it so far that I often said to him, 'You ought to be called Monsieur Ten Minutes. When he was quite a child his first word in the morning when they tried to wake him was ten minutes more, and often when I have watched him as he was going to sleep and was a good deal too tired to speak, he would hold up his ten fingers still to ask for the ten minutes' grace."

A WASHINGTON correspondent of the *Boston Transcript* gives an account of the recovery of the English frigate *Resolute* and her return to England. He says: "The crew consisted of Capt. Henry J. Hartstone of South Carolina, who subsequently united his fortunes with the Southern rebellion and died shortly after; Executive Officer Lieutenant Clark H. Wells, a native of Reading, Pa., now a commodore and chief signal officer of the Navy; Lieutenant Hunter Davidson of Virginia, who joined the rebellion; Lieutenant E. E. Stone of Georgia, now retired with the rank of commander; Dr. Macoun of Maryland, and Dr. Gibbs of Massachusetts, captain's clerk and twenty-five men. It may be added, as indicating the impression which this event made upon the minds of the royal family at the time, that during the visit of Admiral Alden's squadron to Southampton, in 1872, the Admiral having invited the Prince of Wales and the Princess on board the flagship, the Prince recalled the restoration of the frigate *Resolute*. The Admiral observed that one of the captains in his fleet was an officer on board the *Resolute* at that time. The Prince asked to meet him. Admiral Alden, in obedience to the request of the Prince, sent for Captain Wells. As the Captain entered the Admiral's cabin, the Prince arose, and, taking Captain Wells by the hand, remarked, 'I find, sir, we are old shipmates. I recollect the event perfectly.' The Prince then presented Captain Wells to the Prince of Wales, again remarking, 'I always look upon the *Resolute* as an historical ship.' The Queen at the time had a fine large painting executed representing the scene on the deck of the *Resolute*. This painting now hangs in her gallery of art treasures at Windsor Palace."

THE San Francisco *Post* is reminded by the unveiling of the Thomas statue of the fate of the Italian sculptor who designed the equestrian statue of Lafayette, fronting the east entrance of the Agricultural Department, Washington. It aptly illustrates the proverbial ingratitude and apathy of republics. The statue was finished by its designer, a young Italian sculptor without means, early in 1849, but, on one excuse or another, payment for the work was put off until the dedication, which occurred in the spring of 1851. By this time the artist had become weary of assailing Congress with his importunities for relief, and had sunk into absolute poverty—indeed, had become quite forgotten. The unveiling of his work took place at last, however, amid pompous ceremonies and the booming of cannon. As the canvas drapery was drawn aside, amid the huzzas of the enthusiastic multitude, a tattered, miserable object was discovered seated astride the bronze steed, just in front of the figure of the great French general, and apparently sleeping peacefully, protected by his huge bronze arms. The Committee of Ceremonies, among whom was an uncle of the writer, approached and angrily ordered the tramp to withdraw. But the sleeper did not stir, and when a ladder was lifted to remove the impudent intruder they found the starved form of the sculptor, dead, with his stiffened cheek resting upon the breast of his own creation. There is a local tradition that the statue's face has borne a frown ever since.

THE NAVY.

RUTHERFORD B. HAYES, President and Com'der-in-Chief

RICHARD W. THOMPSON, Secretary of the Navy.

JOHN W. HOES, Chief Clerk.

DAVID D. PORTER, Admiral of the Navy.

STEPHEN C. ROWAN, Vice-Admiral of the Navy.

BUREAU OF ORDNANCE—Commodore William N. Jeffers, chief; Commander Alex. H. McCormick, assistant.

BUREAU OF EQUIPMENT AND RECRUITING—Captain (with relative rank of Commodore) Earl English, chief; Lieutenant Enry H. Taunt, assistant.

BUREAU OF NAVIGATION—Captain (with relative rank of Commodore) William D. Whiting, chief.

BUREAU OF YARDS AND DOCKS—Captain (with relative rank of Commodore) Richard L. Law, chief; Commander George C. Remey, assistant.

BUREAU OF MEDICINE AND SURGERY—Surgeon-General (with relative rank of Commodore) Philip S. Wales, chief; Surgeon Adrian Hudson, assistant.

BUREAU OF PROVISIONS AND CLOTHING—Paymaster-General (with relative rank of Commodore) George F. Cutler, chief; Paymaster Chas. P. Thompson, assistant.

BUREAU OF STEAM ENGINEERING—Engineer-in-Chief (with relative rank of Commodore) William H. Shock, chief; Chief Engineer Henry W. Fitch, assistant.

BUREAU OF CONSTRUCTION AND REPAIR—Chief Naval Constructor (with relative rank of Commodore) John W. Earby, chief.

JUDGE ADVOCATE GENERAL—Captain William B. Remey, Marine Corps, Acting J. A. G.

SIGNAL OFFICE—Commodore Clark H. Wells, chief; Lieutenant Edward W. Very, assistant.

HYDROGRAPHIC OFFICE—Captain Samuel R. Franklin, superintendent; Commander Allen V. Reed, assistant.

NAVAL OBSERVATORY—Rear-Admiral John Rodgers, *supt.*

NAVAL ASYLUM, PHILADELPHIA—Commodore D. McN. Fairfax.

NAVAL ACADEMY—Rear-Admiral George B. Balch.

FLAG OFFICERS AFLOAT.

NORTH ATLANTIC—Rear-Admiral R. H. Wyman.

SOUTH ATLANTIC—Commodore Andrew Bryson.

EUROPEAN STATION—Rear-Admiral John C. Howell.

EUROPEAN STATION—Rear-Admiral C. R. P. Rodgers.

ASIA STATION—Rear-Admiral T. H. Patterson.

COMMANDANTS NAVY-YARDS AND STATIONS.

Commodore John C. Beaumont, Portsmouth, N. H.

Commodore George M. Ramsay, Boston, Mass.

Commodore J. W. A. Nicholson, New York.

Commodore Pearce Crosby, League Island, Penn.

Commodore John C. Febiger, Washington D. C.

Commodore Aaron K. Hughes, Norfolk, Va.

Captain George E. Belknap, Pensacola, Fla.

Commodore E. R. Cothron, Mare Island.

Commodore Edward Simpson, Naval Station, New London, Ct.

Commodore Thomas Patterson, Naval Station, Port Royal, S. C.

COMMANDANT MARINE CORPS.

Colonel Commandant, Charles G. McCawley.

NAVAL VESSELS IN COMMISSION.

WHEN AND WHERE LAST HEARD FROM.

* *Iron clads*: a. s., Asiatic station; e. s., European station; n. s., North Atlantic station; p. s., Pacific station; s. a. s., South Atlantic station; s. s., special service. The iron-clads *Ajax*, *Comdr. H. B. Seeley*; *Catapult*, *Lient. Jos. Marthon*; *Lehigh*, *Lient.-Comdr. Geo. R. Durand*; *Manhattan*, *Lient. Wm. W. Rhoades*; *Manhattan*, *Lient.-Comdr. G. M. Anthony*, are laid up at Brandon, Va.

ADAMS (p. s.), Commander John A. Howell.

Sailed from San Francisco, Feb. 4, under sealed orders. Her destination is supposed to be Panama, but it is not definitely known.

ALARM (p. s.), Lieut. R. M. G. Brown, New York.

ALASKA (p. s.), Capt. George Brown. On the coast of Peru or Chili.

ALERT, *Comdr. Chas. L. Huntington*, Yokohama. Arrived at Yokohama on Dec. 31 from Kobe.

ALLIANCE (e. s.), Commander A. R. Yates. At Norfolk Navy-yard.

Attached to the North Atlantic Station.

AAHUELOT (a. s.), Comdr. Mortimer L. Johnson. At Shanghai.

COLORADO, Capt. Bancroft Gherardi. Receiving Ship, New York.

CONSTITUTION (a. s.), Captain Oscar F. Stanton. Returned to Aspinwall Feb. 14. Is waiting the arrival of the *Pensacola* at Panama.

ENTERPRISE (a. s.), Comdr. Thos. O. Selfridge. Sailed from Constantinople Jan. 5, arrived at the Piraeus on the 7th, where she was at last accounts. She will leave for the United States in April.

FORTUNE (a. s.), Pilot George Glass, Norfolk, Va.

FRANKLIN, Capt. Jas. H. Gillis. Receiving Ship, Norfolk.

INDEPENDENCE, Capt. Wm. P. McCann. Receiving Ship, Mare Island.

The Vallejo *Chronicle* reports that a garden is being made at the shore end of the bridge leading to the *Independence*, by Executive Officer Coghlan, who seems to take unusual pride in the old ship. It is the intention shortly to create a ground for the benefit of the men, where all sorts of gymnastic apparatus will be erected.

INTERPID (a. s.), Lieut. Francis H. Delano. New York.

JAMESTOWN (a. s.), Comdr. Lester A. Beardlee. Sitka, Alaska.

A correspondent writes to the Vallejo *Chronicle* from the Jamestown, at Sitka, Jan. 20: "Sitka is a small town imbedded in three and half feet of the purest snow. The 'boys' of the *Jamestown* are enjoying it hugely; comfortably housed, sitting around a red-hot stove, on gun and berth deck, spinning yarns, smoking, sewing, etc., while the atmosphere is choked by the falling flakes and chill with the breezes from the Arctic. Nevertheless Jack don't care the tip of a red herring's tail for it. He goes ashore on liberty as usual, takes his whiskey straight by way of amusement, or dances a quadrille with some dusky maiden with a flat nose, stiff back, and uncommonly sized feet. But this does not imply that the maidens here are all dusky. There are any number of whites (Russians) at Sitka, and these are good looking. Their piercing black eyes will search the bottom of your heart, if you happen to have one left. Sitka is uninteresting, dirty, disagreeable, and disgusting. The streets are simply a lot of alleys, enclosed by houses built of solid spruce pine, which abounds in these regions. It is rather unpleasant in any kind of weather to be out of doors, especially at this season. At present the thermometer is 10 degrees below zero, and those only having cast-iron feet can wade through the snow; but when it is thawing, God

help the poor devil with leaky shoes. There is no sidewalk strong enough to hold the mud, slush, and melting snow, and you can understand what kind of walking we have. We have sleet, had, snow, and rain at the same time."

KRAIBURG (n. a. s.), Comdr. Henry F. Pickering. Left Key West on Feb. 3. Destination unknown; probably Aspinwall or Vera Cruz.

LACKAWANNA (p. a.), Capt. Ralph Chandler. Arrived at San Francisco on Feb. 2 from the Sandwich Islands. Will need considerable repairs before again going to sea. Captain James N. Gillis has been ordered to relieve Captain Chandler.

Here is something pleasant about the *Lackawanna* from the Vallejo *Chronicle* of Feb. 14: "The sailors on the U. S. *Lackawanna* have subscribed the sum of \$140 and still have their list in circulation to raise money for defraying the funeral expenses of Mrs. Dunlap. The son was a sailor on the *Lackawanna* and has just returned home." And here are a couple of items from another part of the same paper not quite so pleasant: "It is real quiet and pleasant in Vallejo to day, most of the *Lackawanna* crew having gone to San Francisco." "One of the *Lackawanna*'s boys, considerably under the influence of liquor, tumbled down the stairs over the Savings Bank this morning. We were passing at the time, and went to his aid, when he quietly, but politely intimated that he needed no assistance, as he generally came down stairs that way."

MARION (n. a. s.), Comdr. Francis M. Bunce. Sailed from New York en route to South Pacific Station.

MICHIGAN (a. s. lakes), Comdr. Geo. W. Hayward. Erie, Pa.

MINNESOTA, Capt. Stephen B. Luce. Apprentice Ship. Wintering at New London.

MONOCACY (a. s.), Comdr. Geo. W. Sumner. Shanghai.

MONTAUG*, Lieut. George M. Book. Washington, D. C.

NEW HAMPSHIRE, Commo. Thos. Pattison. Store Ship, Port Royal.

NIPSCIC, Comdr. C. M. Schoonmaker.

Arrived at La Guayra Jan. 19. The minister at Cavacos visited the ship on the 23d. Mr. Eckert, commercial agent at La Guayra, was still on this vessel, and would proceed with her to ports to the eastward. She would not return to La Guayra. Mr. Eckert expected to return in her to the United States. Health of ship's company good. Commander Schoonmaker's despatch is dated Jan. 28.

ONWARD (p. s.), Lieut.-Comdr. Thos. M. Gardner. Store Ship, Callao, Peru.

PALOS (a. s.), Lieut.-Comdr. Jas. G. Green. Wintering at Tientsin.

PASSAIC*, Comdr. Jas. D. Graham. Receiving Ship, Washington.

PAWNEE (n. a. s.), Mate Jos. Reid. Hospital Ship, Port Royal, S. C.

PENSACOLA (f. s. p. s.), Capt. K. Randolph Breese. At Callao Jan. 29. Expects to be at Panama about March 1. From Panama she will proceed up the coast, touching at Central America and Mexican ports, and reach San Francisco in May.

PORTSMOUTH, Lieut.-Comdr. A. S. Crowninshield. Training Ship.

At Washington under repairs; will be ready for sea next spring.

POWHATAN (n. a. s.), Capt. Daniel L. Braine.

Arrived at Hampton Roads Feb. 2 from New York, proceeded to the Navy-yard, Norfolk, where she coaled, and was inspected by the board under Commodore Cooper. She dropped down to the naval anchorage on the 7th, and is now waiting orders for sea.

QUINNEBAUG (e. a.), Comdr. Norman H. Farquhar. At Leghorn, repairing.

RIOMOND (f. s. a. s.), Capt. A. E. K. Benham. At Hong Kong, Jan. 2.

RIO BRAVO (s. s. Brownsville, Texas.) Lieut.-Comdr. Chas. F. Schmitz.

SARATOGA, Comdr. Robley D. Evans. Training Ship, Washington.

SHERANDO (f. s. s. a. s.) Capt. Robt. F. R. Lewis. Montevideo.

ST. LOUIS, Captain Joseph P. Fyffe. Receiving Ship, League Island.

ST. MARY'S, Captain Henry Erben. N. Y. School Ship.

SWATARA, Commander W. T. Sampson. Arrived at Gibraltar Feb. 14. Left for Malaga on the 18th.

Is expected to leave Malta on March 1 for Port Said.

TALLAPOOSA (s. s.), Lieut. David G. McRitchie. At Washington.

TICONDEROGA (s. s.), Comdr. Bartlett J. Cromwell.

According to the latest advices received at the Navy Department, the *Ticonderoga* is at Singapore. She is on her way home, and will return to San Francisco by way of the Sandwich Islands.

TENNESSEE (f. s. n. a. s.), Capt. D. B. Harmony.

At naval anchorage, Norfolk, waiting orders for sea. Will not sail before next week.

TRENTON (f. s. e. a. s.), Captain Henry Wilson. At Port Mahon, Feb. 4.

TUSCARORA (s. s.), Comdr. John W. Philip.

Left San Jose, Guatemala, Jan. 7, bound down the Central American coast.

VANDALIA (n. s. a.), Comdr. Richard W. Meade. New York. Is under repairs.

WABASH, Capt. S. Livingston Breese. Receiving Ship, Boston.

WACHUSETT (s. s.), Comdr. Byron Wilson. Rio de Janeiro Dec. 11. Going to Montevideo.

WYANDOTTE*, Lieut. Conway H. Arnold. Washington.

WYOMING (e. s.), Comdr. Silas Casey (ordered).

Went into dock at Toulon Jan. 19, came out on the 24th, sailed for Naples same day, touching at Villefranche for coal, etc.

VARIOUS NAVAL ITEMS.

THE old historic ship house at Sackett's Harbor, N. Y., erected in 1818, blew down the other day, leaving exposed the uncompleted war vessel *New Orleans*.

The machinery of the old iron-clad *Monadnock*, which lies above the foundry on the Navy-yard, is to be taken out, some of which is to be used in the new vessel. The old vessel will be brought from her position near the mud flats to one more convenient to transfer the material.—*Vallejo Chronicle*.

THE Philadelphia *Advertiser* of Feb. 18 says: "There are, at present, about 350 men employed at the League Island naval station, exclusive of the officers on duty there, whose only means of coming to the city now are by wagons, forty or

fifty of which formerly found employment in transporting them back and forth, but the necessity of 'doubling up teams and the extra horses required, have caused the withdrawal of most of the wagons. Much complaint is made by the men that they are often compelled to lose a half day's work in these slack times at the yard, owing to being detained on the road thither, and they say it is very annoying, after making an early start and allowing for contingencies, to arrive at the gate a few minutes behind time and find it closed against them, which is always the case if they are not inside at 7.40 a. m. They will soon change from the eight-hour to the ten-hour system, when they expect their difficulties to be increased if something is not done to improve the street. From Moyamensing avenue to the Greenwich Point Railroad, and thence half a mile below the bridge over Hollander's Creek, the road is particularly bad, and teamsters have to be very careful. At the naval station the only vessel upon which work is being done is the *Junior*, which is being fitted up, the *Essex* and *Supply* awaiting the necessary appropriation. Should the bill before Congress pass permitting the transportation of supplies in a national vessel, for the relief of the Irish sufferers, the latter will probably be the vessel selected." This bill has passed.

NAVY GAZETTE.

ORDERED.

FEBRUARY 25.—Commander Robert Boyd, to duty as equipment officer at the Navy-yard, Mare Island, on the 31st March.

Master Francis Winslow, to the training ship Saratoga, at Washington, on the 1st March.

Medical Inspector David Kindleberger, as member of the Naval Retiring Board on the 1st March.

Boatswain John S. Sinclair, to the training ship Portsmouth, at Washington.

Boatswain Robert Anderson, to the training ship Minnesota, at New London, Conn., on the 1st March.

FEBRUARY 26.—Paymaster W. W. Woodhall, as inspector of provisions and clothing at the Navy-yard, League Island, on the 1st March.

Chief Engineer Edwin Fithian, to special duty at New York to superintend construction of boilers for the Bureau of Construction.

DETACHED.

FEBRUARY 24.—Medical Director George Peck, as President of the Naval Medical Examining Board at Washington on the 29th February, and ordered as member of the Examining Board at Philadelphia for admission and promotion in the Medical Corps of the Navy on the 1st March.

Surgeon Newton L. Bates, as member of the Naval Examining Board at Washington on the 29th February, and ordered as member of the Examining Board at Philadelphia for admission and promotion in the Medical Corps of the Navy on the 1st March.

Naval Constructor Thomas E. Webb, from duty at the Navy-yard, New York, on the 15th March, and ordered to the Navy-yard, Norfolk.

Naval Constructor George R. Brush, from duty at the Navy-yard, Norfolk, on the 15th March, and ordered to the Navy-yard, New York.

FEBRUARY 25.—Commander Louis Kempff, from equipment duty at the Navy-yard, Mare Island, on the 31st March, and placed on waiting orders.

Master Henry L. Green, from the training ship Saratoga on the 29th February, and placed on waiting orders.

Boatswain Daniel Ward, from the training ship Minnesota on the 1st March, and placed on waiting orders.

FEBRUARY 26.—Lieutenant Frederick Collins, from duty on the Coast Survey, and ordered to the training ship Saratoga on the 1st March.

Lieutenant Wm. M. Wood, from the training ship Saratoga, and ordered to duty in the equipment department, Navy-yard, Washington.

Passed Assistant Engineer Wm. H. Harris, from special duty at Fort Wayne, Indiana, and placed on waiting orders.

Boatswain John A. Brisco has reported his return home, having been detached from the Pensacola on the 5th February, and has been placed on waiting orders.

MODIFIED.

Pay Inspector Rufus Parks' orders of the 14th Feb. have been so far modified that on being detached from duty at Norfolk he will regard himself waiting orders.

APPOINTED.

FEBRUARY 24.—Medical Inspector R. C. Dean has been appointed president and Surgeon J. H. Kidder and Naval Constructor T. D. Wilson members of a board to make a sanitary inspection of the U. S. steamer Plymouth, at the Navy-yard, Portsmouth, N. H.

LEAVE OF ABSENCE GRANTED.

To Captain James H. Gillis, commanding the receiving ship Franklin, for one month.

To Lieutenant John C. Irvine for two months from March 1.

LIST OF DEATHS.

In the Navy of the United States, which have been reported to the Surgeon-General, for the week ending Feb. 25, 1880:

Henry Matthews, ordinary seaman, December 25, 1879, U. S. S. Jamestown, at Sitka, Alaska.

John Bengel, ordinary seaman (boy), January 10, 1880, U. S. S. Ticonderoga, Hospital, Bombay.

John Erickson, sailmaker's mate, December 11, 1879, U. S. S. Monocacy, Hospital, Shanghai.

Patrick McCann, first class fireman, December 26, 1879, U. S. S. Ashtoniet, Shanghai, China.

John Hall, boatswain, February 22, Naval Hospital Washington City.

DETAILS OF NON-COMMISSIONED OFFICERS OF MARINES.

HEADQUARTERS, MARINE CORPS, February 19, 1880.

General Order No. 3.

The practice which has prevailed in former years, of detailing non-commissioned officers for duty as "officer of the guard," and "officer of the day," is unmilitary and in violation of Naval Regulations, chap. 24, par. 11, no such practice prevailing in the Army.

It is, therefore, ordered that hereafter no non-commissioned officer shall be required or allowed to perform such duty in the U. S. Marine Corps.

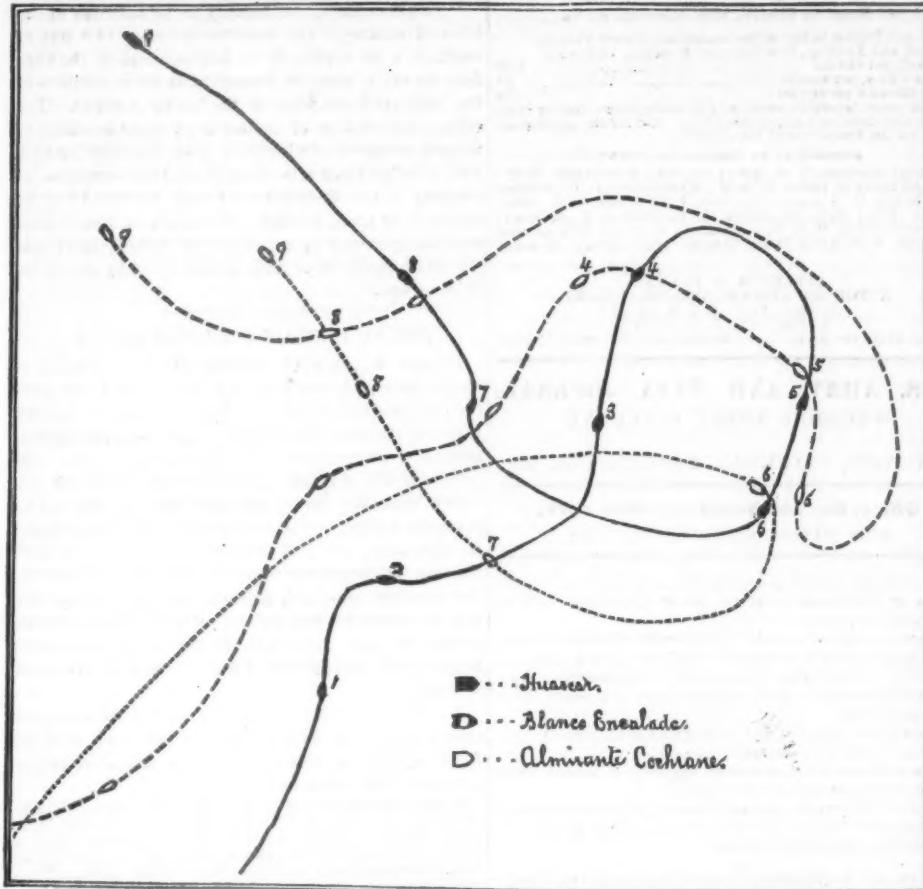
By order of the Col. Commandant:

AUG. S. NICHOLSON, Major, U. S. M. C. Adjt. and Inspector.

Approved—R. W. THOMPSON, Secretary of the Navy.

THE CAPTURE OF THE HUASCAR.

We reproduce a drawing showing the manœuvres of the battle of Angamos, October 8, 1879, as furnished by Lieut. Simpson, and approved by Capt. La Torre, of the *Cochrane*. We have had it in hand for some weeks, but have not before been able to make room for it.



The black line shows the track of the *Huascar*, the heavy dotted line that of the *Almirante Cochrane*, and the fine dotted line that of the *Blanco Encalada*.

1. Action begun between Cochrane and Huascar.
2. Huascar's steering gear is damaged (1st time), and she turns toward the land.
3. Huascar's damage is repaired, and she steers previous course.
4. Huascar's steering gear is again damaged, and she again goes for the land. Lowers her colors for the first time.
5. Cochrane tries ramming, but misses.
6. Cochrane tries ramming again, when Blanco interposes, obliging Cochrane to turn to port to avoid collision; Blanco turning to starboard.
7. Huascar and Cochrane try ramming; Huascar turns to port and again
8. Cochrane passes close to her astern.
9. Huascar surrenders.

NOTE.—No scale is appended, as the movements are only comparative.

With reference to this diagram, *Engineering*, which also publishes it, says:

It is taken from the official chart of the action furnished by the officers in command of the Chilean vessels to their own Government. Assuming it to be accurate, and we have every reason to believe it is, it is worth careful study. It quite bears out our surmise, made from the particulars of the action then to hand, that the Almirante Cochrane had been well and judiciously handled during the battle, and that her slight injury was due to the fact that she was able, by keeping a position astern of the *Huascar*, to bring her own powerful bow fire to bear, while the turret guns of the Peruvian were masked by her own poop. Some other deductions of importance appear evident, and we will endeavor briefly to set them forth.

It appears clear in the first place that the *Huascar* had the best of the *Blanco Encalada* in point of speed, for being to southward of her when they first sighted each other, the former passed her, and had gained considerably on her by the time the action commenced. In the next place it is equally clear that the Almirante Cochrane was swifter than the *Huascar*. Had she not been the latter would doubtless have escaped, for she was already to the north of the Chilean before the action commenced, and as throughout the action her machinery was not damaged, it is reasonable to assume that it would not have been had she been able to go on increasing her lead of the Cochrane, instead of being overtaken and, so to speak, headed back by the latter. And here we may stop to inquire how it was that two sister vessels like the two Chilean ironclads, alike in all respects, built and engined by the same firm, from the same design, should on the day of battle, have shown such a difference in point of speed, that if both had been in the condition of the *Blanco* the *Huascar* could have defied them with impunity? The vessels when tried in this country performed alike, and it must therefore be attributed to the machinery or boilers of the slower vessel being allowed to become defective. It was understood that this was the case with both ships at the beginning of the war. Probably the Almirante Cochrane was got right before she met the *Huascar*. It is evident the sister vessel was still out of repair, for she ought to have been at least a knot an hour swifter than the *Huascar*, instead of allowing the latter to run away from her. This should be a lesson to all governments, that it is at least as important to maintain the steaming efficiency of war ships as it is to secure high speeds when they are new.

And here we may notice another point before discussing the battle. It may at first appear strange that the *Huascar* being observed south of both ironclads should

have been able to pass northward of the *Blanco* without firing a shot, and should also have passed the Cochrane before the action commenced, although the latter certainly, and perhaps also the *Blanco*, might have got across her line of retreat, or sufficiently near to exchange shots in passing. It should be remembered, however, that it is dangerous for a vessel to place itself in front of a determined, not to say desperate, enemy, as by doing so she renders herself liable to be rammed. Had the *Blanco* steamed across the line of retreat of the *Huascar*, she would have run considerable risk of ramming, having the inferior speed she had, notwithstanding her superior turning power. In the case of the Almirante Cochrane it was obviously wiser not to give the *Huascar* a chance of using her stem by either crossing her bow or steaming to meet her bow on. Had she steamed to meet the *Huascar* bow on, and a collision had been avoided, she would have lost ground in turning, and given the enemy a start in running away, somewhat similar to what the Spanish fleet did when they tried to intercept the return to Cartagena of one of the ironclads in the hands of the *intrusantes*. By sweeping round in rear of the *Huascar* the Almirante Cochrane pursued sound tactics. Having done this, her superior speed and turning power gave her an enormous advantage over the *Huascar*.

The position taken up by the Almirante Cochrane gave her also an admirable opportunity to damage her opponent's steering apparatus, of which she appears fully to have profited. It may also, we think, be taken for granted that having taken up her position astern of the *Huascar*, and being superior in speed and turning power, it would be next to impossible for the latter to shake her off from this position once she had got moderately close, and it is pretty obvious that by continuing to keep her bow toward the *Huascar* the Cochrane could inevitably, had she so minded, have rammed her. Any one following the movements of the two vessels from the positions A3 H3 (the first positions of the *Huascar* and Almirante Cochrane in the above cut) to A7 H7 (the fifth position as shown above), will at once see the force of our contention. Here the *Blanco* may be said to have come on the scene, and the character of the battle is at once changed by the blundering impetuosity of her movements which, from accounts that have reached us, went very near to bringing about disaster to the Chileans.

A NEW buoyant life-saving rocket is described by the London *Engineer*, as manufactured at the Woolwich Arsenal. Substantially it is the Boxer rocket in a coating of cork. This coating enables the rocket to float on the water with the rope attached after it has been discharged over the sea. The rocket is capable of carrying a one-inch or 1½-inch coir line a distance of more than a hundred yards, and will then have buoyancy enough to support itself with the line. In case the rocket is badly aimed, or should fall short, it is claimed that the line can always be recovered, and that in many cases the rocket may be picked up by the crew of a wrecked vessel with a boat hook.

THE iron-clad *Italia*, the sister ship of the *Duilio*, will be launched at Venice next May.

The military reservation for Fort Niobrara is to comprise 6,000 acres.

THE NAVY OF THE FUTURE.

The fact that we have no navy being generally admitted, the further fact that we are not likely to get one being beyond argument, it may not be a bad plan to comfort ourselves with certain theories tending to show that in these later days a navy, as our friends in Europe understand a navy, is not worth having. Fights between war ships, save in exceptional cases, are inconclusive and have no effect upon the main issues of the war. For purposes of coast defence—at least for such an enormous stretch of coast as is ours—war ships are useless. It would be only by a miracle that the defenders would happen to be at the right place at the right time; and miracles are not frequent nowadays. Where war ships really are valuable is in beating down the commerce of the enemy. For this sort of work armor-plated ships carrying enormous guns are not at all what are wanted. The war ship required for such service is a fast steamer big enough to carry a crew of six hundred men and provided with a dozen steam launches. For the looks of the thing, and in deference to naval traditions, the ship might carry a single tier of guns on her broadside; but the most of the fighting at long range would be done by riflemen in the tops—if the ship got near enough to the chase to take any part in the action at all—and at close quarters carronades in the bows of the steam launches, backed by old-fashioned cutlasses and boarding-pikes, would settle the business of the luckless merchantman very effectively. Indeed, in most cases there would not be any fighting at all. The war ship would fire a shot across the merchantman's bows, and then the merchantman would haul down his colors; that would be the whole of the "battle." This may seem a somewhat extreme view of the situation, but it is borne out by the facts. When Russia and England so nearly came to blows the other day, Russia did not make the smallest endeavor to buy another ironclad. She went to Cramp and bought a couple of the fastest ships now at large on the ocean—and that purchase did more to scare England into peacefulness than the purchase of a whole fleet of double-turreted monitors would have done. England realized that while her big *Devastation* and *Dreadnought* and the rest were lumbering across the Channel, the saucy *Europe* and *Asia* would be sinking and burning English ships all over the Atlantic. And with her commerce cut off there would be nothing left for England to fight for or with. No, the fact of the matter is, that this whole iron-clad business has been a mistake. "A theory manned by experiments," the armored ship has proved a failure. For harbor defence, as a floating fort that may be moved about and anchored where it will do the most good, the ironclad is worth having; but it is not a necessity even for this sort of work, and for any other sort of work it is useless. Naval men who think that we ought to have a great many ironclads forget that in the army armor was abandoned three centuries ago because it was less of a help than a hindrance. And iron-armored ships are just as useless as iron-armored men, and for just the same reasons. We do need some new ships, though we have already a number of precisely the right kind required for the sort of service that we have specified, but ironclads we do not need.—*Philadelphia Times*.

THAT most excellent paper, the Boston *Transcript*, says: "A letter of Dr. Livingstone's, lately published in London, confirms in a signal manner that the Briton fights the savage in Afghanistan and in Zululand as he fought the French at Blenheim, and as Braddock fought the Indians in the expedition against Fort Duquesne. Livingstone's letter concerns the Transvaal Boers, and shows that they knew how to fight and conquer the Zulus long ago. Had Lord Chelmsford resorted to their tactics, instead of employing those which he was taught at Woolwich and Aldershot, there would not have been any such disaster to the British arms as that of Isardula. Livingstone describes how the Boers avenged themselves upon the Zulus for a massacre of their people committed by the order of Chief Dingaan, the predecessor of Cetywayo. The Boers went to war and brought on a battle, in which Dingaan lost between 3,000 and 5,000 of his warriors, while the total loss to the Boers was only six men. The mode of warfare is thus described by the great traveller: 'The Boers approach the Zulus to within three hundred or four hundred yards, then fire and gallop off to a considerable distance and then reload their guns. The Zulus, pursuing, have by this time come sufficiently near to receive another discharge from the Boers, who again retire as before. This process soon tires out the fleetest warriors, and, except through the accident of the stumbling of a horse or its rider's drunkenness, no Boer ever stands a chance of falling into their hands. The Boers report of themselves that they behaved with great bravery on this occasion. The Zulu warriors advanced in close columns and their enemies were thus enabled to kill more than one with a single bullet. Such being the case, the Zulus were advancing in the face of almost certain destruction, without the possibility of engaging any except the six whom accident threw into their power.'

THE London *Standard* says: "In one respect there is a strange similarity between events at St. Petersburg and Constantinople. When the Czar is daily reviewing his troops and addressing his officers with an affability and condescension unprecedented in the annals of the Empire, the Sultan, to do honor to his own Pretorians, has ordered his second son, Mehmed Selim, and Abdul Aziz's second son, Mehmed Schevket, to enter the ranks as privates. A few days ago the ceremony of their joining the first regiment of Foot Guards was solemnized, in the presence of the Minister of War and the Sultan's Private Secretary, the latter addressing the troops upon the signal importance of the event, and dwelling upon the Sovereign's love and affection for the defenders of the faith. Anything like this extraordinary event certainly never occurred before in Turkey."

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Admiral David D. Porter, U. S. N., Washington, D. C.; General
Geo. Sykes, U. S. Army; Brig.-Gen. J. N. Palmer, U. S. Army,
Omaha, Neb.; Brigadier-General L. P. Graham, U. S. Army;
Brigadier-General Wm. M. Graham, U. S. Army; Mrs. Admiral
Dahlgren, Washington, D. C.; General S. D. Sturgis, U. S. Army.

APPLETON D. PALMER,
ATTORNEY AND COUNSELOR AT LAW,
(Formerly Capt. 4th U. S. Art'y),
81 FIFTH ST., N. Y. CITY.

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NON-LIABILITY FOR ACTS OF WAR.

IN the present number of the JOURNAL, which is
enlarged to 24 pages, in order to find room for the
many matters of current interest and of value to the
Services, we publish in full, and officially, the record of
one of the most practically important military law-suits
ever decided in this country. It is the case of *General
Neal Dow v. Bradish Johnson*; and its head-notes will
convey to the reader the character of the points decided.
At the request of the General of the Army we call the
attention of all Army officers and of all military, to
this case.

In his letter, enclosing it, General SHERMAN says:
"This opinion is of vast importance to the Army, and I
request that you cause it to be published entire, with a
caption, inviting the attention of all Army officers and
military students to it. In this you may use my name,
for I believe it will strengthen our hands for the good
and glory of our country to know that the Supreme
Court will shelter us for acts done in time of war."

This decision of the Supreme Court will be found as
readable as it is important. For example, with a touch
of grave humor, the learned judges say: "There
would be something singularly absurd in permitting
an officer or soldier of an invading army to be tried
by his enemy, whose country it had invaded. The
same reason for his exemption from criminal prosecu-
tion apply to civil proceedings. There would be as
much incongruity, and as little likelihood of freedom
from the irritations of the war, in civil as in criminal
proceedings prosecuted during its continuance. In both
instances, from the very nature of war, tribunals of the enemy
must be without jurisdiction to sit in judgment upon the military conduct of the officers and
soldiers of the invading army. It is difficult to reason
upon a proposition so manifest; its correctness is evi-
dence upon its bare announcement, and no additional
force can be given to it by any amount of statement as
to the proper conduct of war. It is manifest that if
officers or soldiers of the Army could be required to
leave their posts and troops, upon the summons of every
local tribunal, on pain of a judgment by default against
them, which at the termination of hostilities could be
enforced by suit in their own States, the efficiency of
the Army as a hostile force would be utterly de-
stroyed. Nor can it make any difference with what
denunciatory epithets the complaining party may cha-

racterize their conduct. If such epithets could confer
jurisdiction they would always be supplied in every
variety of form."

"This doctrine of non-liability to the tribunals of the
invaded country," the court further say, "for acts of
war is as applicable to the members of the Con-
federate army, when in Pennsylvania, as to members of
the National Army when in the insurgent States. The
officers and soldiers of neither army could be called to
account civilly or criminally in those tribunals for such
acts, whether those acts resulted in the destruction of
property or the destruction of life; nor could they be
required by those tribunals to explain or justify their
conduct upon any averment of the injured party that
the acts complained of were unauthorized by the neces-
sities of war."

THE SPHERE OF COURTS-MARTIAL.

In the JOURNAL of January 24, we discussed at
length the very instructive and suggestive Court-martial
case that had arisen in Dakota, in which an enlisted
man was tried for desertion, with the usual accompani-
ment of a charge of theft of arms and equipments. His
plea was the singular one that he had previously de-
serted from the Navy; and although two wrongs do
not make a right, yet as two negatives sometimes make
an affirmative, so a double desertion in this case gave
the man the benefit which he would not have had under
a single desertion, and the court discontinued the
case as beyond its jurisdiction. Thereupon arose some
points for legal discussion, in the Judge Advocate's
Department, and by Gen. TERRY, which we reviewed
at length.

An officer who is himself an expert in the questions
involved, sends us a communication which we shall set
forth as fully as its great elaboration will allow in our
columns. He begins as follows:

I have read with much interest your editorial in the issue
of January 24, entitled "An Important Court-martial Decision."
There can be no question that the ultimate decision
of the point raised by the prisoner was right, and it is certain
that the arguments of the Department Commander and the
Judge Advocate of the Department, were both able and con-
clusive. One statement, however, made by Gen. Terry, in
his endorsement, is of a nature to mislead, and I shall be
obliged if you will give me space to set the error right. I refer
to Gen. Terry's statement that "a Court-martial is the
judge of both the law and the fact;" followed by this re-
mark: "In this respect its functions are analogous to those
of a jury in criminal cases."

In thus writing, Gen. Terry has made a serious mis-
take, a jury in criminal cases never being the judges of
both law and fact, though possessing, no doubt, the power
to make themselves so. Gen. Terry himself points out the
distinction, when he goes on to declare in the para-
graph immediately following: "But while a jury cannot be
compelled to accept the law as laid down by the judge, it is held
that it is morally bound to do so." It is clear from this, that
the general fully understands the relations borne by a jury to
the court, and that his antecedent declaration which I quote
above is an inadvertent overstatement of the fact. But to
avoid future misunderstanding on the part of Courts-martial,
it may not seem to you inexpedient to present in your
columns a statement of the best and now accepted opinion on
this important point, with the reasoning on which that
opinion is now immovably built. Is it correct to say that a
jury is, or ever was, in this country, the judge of both law
and fact?

The Constitution of the United States provides that "the
trial of all crimes, except in cases of impeachment, shall be by
jury."

The court in Dakota, by its rejection of the law, as cor-
rectly laid down by Col. Barr, practically maintained that they
had not only the power but the right to decide the law; this
they might allow to the opinion or reviewing authority only
with such weight as they thought it deserved; and that if it
did not accord with their convictions they were bound to
disregard it. In this they erred, and it is much to their
honor that they finally yielded this untenable ground.

What is meant by "the trial of crimes shall be by jury?"
Assuming that either the judge or the juries of American
tribunals were to determine the law, was it to the jury and
not to the judges that this power was to be entrusted under
the Constitution?

Our correspondent proceeds with an examination of
the Constitution of the United States, particularly Art.
6, providing that the Constitution and the laws made in
pursuance thereof, and the treaties "shall be the supreme
law of the land, and the judges in every State shall be bound thereby." He shows that to allow juries
to be judges of the law would be to introduce thousands
of courts having final jurisdiction on the same causes
arising under the same laws, and having no qualifications
to decide law points. He asks, "if the meaning
of the Constitution, when it speaks of a trial by jury,
be that juries may rightfully determine the law, why
was this command laid on the judges alone, who are
thus mere advisers of the jury, having no real power in
the matter?" He proceeds to say:

The very eminent Judge Curtis, of the Supreme Court of
the United States, while presiding at the trial of Robert Morris,
in 1851, thus declared his opinion of the relative powers
of the jury and the court in criminal cases:

It is the duty of the court to decide every question of law which
arises in a criminal trial. If the question touches any matter
affecting the course of the trial, such as the competency of a witness,
the admissibility of evidence, and the like, the jury receive
no direction concerning it; it affects the materials out of which
they are to form their verdict, but they have no more concern
with it than they would have had if the question had arisen in
some other trial. If the question of law enters into the issue and
forms part of it, the jury are to be told what the law is, and are
bound to consider that they are told truly. That law they are to
apply to the facts as they find them, and thus, passing on both the

law and the facts, they from both frame their general verdict of guilty or not guilty.

Nothing can be more admirably or more accurately stated. And it is supported by an almost innumerable array of authorities.

Our correspondent then goes with much elaboration into a recital of historic authorities, and particularly those of English law and parliamentary law during the last century. He then proceeds as follows:

At the time of the adoption of the Constitution, then, it was a settled principle of the common law that the court decided the law and the jury the facts, and it cannot be doubted that this must have an important effect in determining what is meant by the Constitution when it adopts *trial by jury*.

Yet further. The act of April 29, 1802, sec. 6, enacts that in case of a division of opinion between the judges of the Circuit Court on any question, such question may be certified to the Supreme Court, and shall be there finally decided. "And the decision of the Supreme Court, and their order in the premises, shall be remitted to the Circuit Court, and be there entered for record, and have effect according to the nature of such judgment and order." This applies to criminal as well as civil cases.

It clearly cannot be, after a decision of the Supreme Court has been thus obtained, that, when the trial comes on, the jury may rightfully revise and reverse such final decision. The act is designed to effect one of the most important and necessary objects of the Constitution, namely, a uniform expedition of the law of the United States, by providing means for a final decision of any question of law; and if so, it is not only wholly inconsistent with a jury's right to decide the law, but it tends strongly to prove that no such right does or can exist.

Let me refer to a few cases bearing on the subject matter.

He then cites and discusses U. S. v. Shine, Baldwin, 510, U. S. v. Battiste, 2 Sumner 240, and refers to other confirmatory decisions. Proceeding he remarks that Gen. TERRY exactly presents the law when he says that "a Court-martial, like a jury, while it has the power to disregard instructions given to it, is yet morally bound to accept them." He then adds:

In one sense, and in one only, a jury—and equally so a Court-martial—are the judges of the law as well as of the facts. They are the sole judges of the application of the law to the particular case. In this sense, theirs is the duty to pass upon the law; a most important and most difficult duty. But it is not their province to decide any question of law, and if they should intentionally fail to apply to the case the law given them by the court—and with Courts-martial, by the United States authority—it would be as much a violation of duty as if they were knowingly to return a verdict contrary to the evidence.

A Court-martial is a United States court, subject in general to the same rules which govern all other courts of the United States. They are sworn to decide according to the evidence, and to administer justice; and if any doubt should arise, then according to conscience, understanding, and the customs of war in like cases. Uniformity and stability in the administration of military law are quite as essential as they are in the administration of the common and statute laws. These necessary qualities can never be obtained or adhered to, if every Court-martial possesses, or exercises without possession, the power to decide for itself what is and what is not the law.

They decide, it is true, in cases of doubt, according to their conscience. But these consciences must be enlightened; and they are bound to enlighten them by accepting, on questions of law, the opinions of those whose official duty it is to instruct them. If courts permit themselves to enforce their own views of the law without deference for higher authority, improvement in the practice and usages of military tribunals can never be attained, for every court will be a law unto itself, and general confusion will be the inevitable result.

This very grave consequence is altogether prevented by the adoption of the contrary course, and Gen. Terry very ably points out in his endorsement its paramount advantage.

The paragraph so referred to our correspondent quotes from Gen. TERRY, and then sums up as follows:

The Constitution in adopting *trial by jury*, intended it as understood and practised in England at the time of such adoption. In England, no case of weight can be found which declares the jury to be the judges of the law; and it is certain that juries never were in England judges of the law. This right was, is, and always has been reserved most wisely to the bench. Courts-martial exercise functions strictly analogous to those of a jury at common law, and as such are bound substantially by the same rules. The authority who convenes the court is the superior and director of the court, on questions of law; and a court which rejects his opinion and adheres persistently to its own contrary view, can offer no valid excuse for a cause which unsettles military practice, confounds all efforts at uniformity of decision, and defeats the ends of justice. The mistakes of a court accomplish nothing but the disapproval of its proceedings, and the escape of the prisoner from punishment. Those of the reviewing authority, on the contrary, open as they are to revision by the tribunal of final appeal, and certain to receive it, can only result, no matter how serious, in establishing the law upon a firmer and wider basis, by marking public errors which future courts will be able to avoid.

THE Detroit Post and Tribune says: "The ARMY AND NAVY JOURNAL remarks that the proposition of Boynton to have Gen. Sherman tried by Court-martial for alleged slander seems preposterous. It then remarks somewhat sarcastically that 'it is hardly to be assumed that Boynton has any expectation of seeing Gen. Sherman Court-martialed, and it is not apparent what he expects to accomplish by publishing to the country the fact that the General of the Army has such an uncomplimentary opinion of him.' What Gen. Sherman said about Mr. Boynton was said deliberately; and he is, no doubt, greatly obliged to the subject of his criticism for spreading so widely the information that he holds him in disesteem." Gen. Sherman has shown no disposition to escape responsibility." But a Court-martial, says the JOURNAL, is not the tribunal to which Mr. Boynton should appeal. "We do not understand that Courts-martial are established for any such purpose." If there

is a Court-martial, 'the leading officers of the Army are to be called away from their ordinary duties to investigate a charge not at all connected with Gen. Sherman's duties as an officer of the Army. It is difficult to see where such a precedent would end.' And more to the same effect. Boynton, who was once in the Army himself, can see by this utterance of the popular and widely circulated organ of the Army and Navy that the two Services hold an opinion of his proceedings about as uncomplimentary to him as is Gen. Sherman's opinion of him. Let him sue the ARMY AND NAVY JOURNAL for libel—by Court-martial!"

Perhaps it will be more to the purpose if Mr. Boynton will now proceed to sue Gen. Sherman in a civil court. We can assure our Detroit contemporary, if, indeed, any such assurance were needed, that the refusal to grant Boynton a Court-martial is not due to any desire to shield Gen. Sherman. Though he be the General of the Army, he is, equally with the last recruit, who was enlisted at Governor's Island, a subject of the civil law, and is quite willing to be held responsible to it for whatever he may have said in this matter. We do not wish that Mr. Boynton should have an opportunity to plead that he is at a disadvantage because his antagonist holds a high office. We published his charges in full, and if we have objected to a court-martial in the case, it was for the very sufficient reason that it is not a competent tribunal. That the War Department also holds to this opinion appears from the letter which follows:

WAR DEPARTMENT, Feb. 24, 1880.

Mr. H. V. Boynton, Washington:

SIR: I am directed by the Secretary of War to furnish you with the following copy of an indorsement upon the charge preferred by you against Gen. W. T. Sherman, viz.: "The President directs that a Court-martial in this case be not allowed, inasmuch as the civil courts afford an ample remedy for the acts complained of.—Alex. Ramsey, Secretary of War." Respectfully your obedient servant,

THOMAS F. BARN, Judge-Advocate.

The following are the official endorsements upon the charges preferred against Gen. Sherman:

Received at the office of Secretary of War January 28, 1880. Brought to notice of the President February 3, 1880, and on February 17, 1880, directed by the President to be referred to Gen. Sherman.

WAR DEPARTMENT, Feb. 18, 1880.

Respectfully referred to the General of the Army for such remarks as he may deem proper to make.

ALEXANDER RAMSEY, Secretary of War.

HEADQUARTERS, ARMY OF THE UNITED STATES, WASHINGTON, D. C., Feb. 18, 1880.

To Hon. A. Ramsey, Secretary of War:

SIR: I have this moment received for the first time the communication of H. V. Boynton, addressed to you under date of January 28, 1880, enclosing charges and specifications against General W. T. Sherman, with his volume marked exhibit B. I recognize this manuscript document as substantially the same as has been published in all the newspapers for the past two weeks, and herewith return it with the "few remarks" I deem proper to make.

The "charge" itself is an insult to my office, my past record of public services, and a name which has stood sixty years without a single imputation on my honor or integrity. The two first specifications involve purely the civil offence of libel or slander compressed into the short letter I wrote him under date of January 16, 1880, every word of which is true and which I am prepared to justify. As to the third specification I have never heard that Generals Grant or Thomas, or Logan or Blair, or any of the great men whom he assumes to defend have ever appointed General Boynton as their attorney. To the living and to the friends of the dead I am ever responsible for every word spoken or written. I yield to no man in my love and veneration of my comrades, and have been for fifteen years on all suitable occasions their eulogist. All men have their good qualities and their human "defects," and in accounting for the actual events of a terrible war I was forced, like every commander of an army, to account for actual results. If ever in my life at any time I have done an injustice to any person whomsoever (which I deny) I will cheerfully submit the matter to an umpire and abide by his judgment. I have made this proposition again and again and will renew it publicly at our next Army meeting. These meetings are composed of the very men who knew and felt the causes referred to, and compose the rightful tribunal for the matter set forth in the third and last specification. I admit the right of H. V. Boynton or any citizen to prefer these or any charges, and that I am always amenable to a court-martial, and I am glad he has reduced his complaints to a tangible form. He has no right, however, to impose on the United States the heavy cost of a military trial—of witnesses from a distance and the necessary attorney's fees. I regard his premature publication of these matters of scandal as in the line of his profession, and meant purposely to avoid the only trial which is right and proper—namely, in one of the many civil tribunals which exist in the District of Columbia for this very purpose.

I beg, therefore, that you will understand that I am abundantly ready to answer before any Court; that when a month ago this Boynton publicly threatened me with a suit I employed as my attorney the Hon. Matt H. Carpenter, who is ready to answer in my name at any and all times.

I have the honor to be, your obedient servant,

W. T. SHERMAN, General.

In acknowledging the receipt of these documents, Mr. Boynton says:

WASHINGTON, D. C., Feb. 26, 1880.

To Hon. Alexander Ramsey, Secretary of War:

SIR: I have the honor of acknowledging the courtesy of your note of yesterday enclosing copies of the various official indorsements upon a charge and specifications preferred against General W. T. Sherman "for conduct unbecoming an officer and a gentleman," and also of your note of the 24th inst. informing me of the final action of the President in the matter. I notice that General Sherman admits the right of a citizen to prefer these charges, in which his opinion agrees with the rulings of the Judge-Advocate-General's office. I notice further, that General Sherman, instead of availing himself of the opportunity ex-

tended to him of exercising his right to ask for a military court in which the gross charges which he publicly made against my character could be tested and where the advantages would be altogether on his side, sets forth various reasons why proceedings should be had, instead, before a civil tribunal as "the only trial which is right and proper." General Sherman also declines, when this opportunity is offered him to set that the character of his "Memoirs," over which he forced the pending controversy, may be submitted to a military court, in which alone they can be effectively tested, and takes the somewhat novel ground that the "rightful tribunal" to try the specifications relating to this branch of the subject is an army re-union.

On the other hand, the President, who has the authority to order a court under such circumstances as attend this case whether an accused officer does or does not desire it, has decided that the civil remedies are ample. That the civil courts are open for the trial of the crime of slander and libel is not a matter of such doubt as to need high official decision. But my attempted proceeding, recognized both by the Judge Advocate General and by General Sherman himself as legal, was for the military offence of "conduct unbecoming an officer and a gentleman," an offence not known to the civil courts.

By the President's decision no military officer will hereafter injure his army standing, at least during the term of this administration, by denouncing any citizen through the public press in language of the foulest abuse, even though he repeat this language to the President in official form. Against a decision which fully justifies this construction I, as a citizen, most respectfully protest.

While this decision in its terms is as broad as the army the high sense of honor which always actuates the great body of its officers renders it certain that the President's indulgence will be rarely, if ever, needed by any officer below its General.

Thanking the Secretary of War for his courtesy from the first to the last of this business, I am, very respectfully, your obedient servant,

H. V. BOYNTON.

This is more ingenious than ingenuous. The gravity of Mr. Boynton's charge was that General Sherman had violated the civil law against slander: a question to be determined by a civil and not a military court. Letter writing is easy, but it is very evident that Mr. Boynton has no desire to give General Sherman an opportunity to prove his charges.

THE Army Register for 1880 has made its appearance, and reflects much credit upon General Samuel Breck, U. S. A., for the completeness and accuracy of its details. To the Army Register of a few years ago, which was somewhat of a meagre affair, much additional matter has been added, the military posts, with distribution of troops to each, are given, laws and regulations in regard to the assignment of officers to duty at colleges or universities, and issue of public material thereto, etc. We find that from Jan. 1, 1879, to Jan. 1, 1880, four lieutenant-colonels of cavalry were promoted to colonel, five majors to lieutenant-colonel, seven captains to major, ten 1st lieutenants to captain, and twenty 2d lieutenants to 1st lieutenant. In the artillery one lieutenant-colonel was promoted to colonel, two majors to lieutenant-colonel, five captains to major, four 1st lieutenants to captain, and six 2d lieutenants to 1st lieutenant. In the infantry five lieutenant-colonels were promoted to colonel, seven majors to lieutenant-colonel, twelve captains to major, thirty-five 1st lieutenants to captain, and forty-six 2d lieutenants to 1st lieutenant.

The register affords a striking proof of the inequality of promotion under the present system of regimental promotion up to the rank of captain, and the fairness of a lineal system. Jan. 1, 1879, 1st Lieutenant McGilvrey, of the 2d Artillery, was the senior of his grade in the artillery, four of his juniors have gone up to captain but he had to stand still because no vacancies happened in his regiment. In the infantry Lieutenants Mitchell, Stouch, Hale, and Krause stood at the head of the 1st lieutenants of infantry. They still stand there, although thirty-five of their juniors have gone up to captain. The injustice of passing them over is too obvious for discussion.

In a letter which we publish this week, Lieut. Totten makes an important suggestion with reference to the statistics to be gathered by the census takers, under the direction of Gen. Francis Walker. General Walker is so intelligent with reference to this, as well as various other subjects, that we do not doubt that the suggestion offered will meet with proper consideration from him.

We direct attention to the synopsis we give elsewhere of the most interesting and valuable paper on the training of seamen, read by Lieut.-Commander Chadwick, U. S. Navy, before the Naval Institute last week.

In answer to some statements contained in a recent letter of our Washington correspondent, Prof. Patrice de Janon has presented us with a pamphlet containing his reply, made in 1864, to the report of Gen. Delafield justifying his dismissal from the professorship of Spanish at West Point. The most prominent feature of the pamphlet is a request to Secretary Stanton for Prof. de Janon's reinstatement, dated West Point, September 17, 1863, declaring that he had been six years professor of Spanish, and "his deportment has been that of a gentleman, zealous and faithful in the discharge of his

duties," signed by a majority of the officers then at West Point, including Superintendent Bowman, Lieut.-Col. Clitz, Adjutant Boynton, Professors Agnel, Weir, and French, Capts. Benét, Harwood, Whittemore, Bradford, Hascall, Lorain, and Cushing, First Lieuts. Hasbrouck, Eastman, Noble, Parsons, Smith, Elderkin, Surgeon Abadie and Assistant Surgeon Shelton. He also gives testimonial from Prof. Velazquez, of Columbia College, that his "pronunciation and style are perfectly pure, and are those in use in Old Castile." Many other testimonials to his competency to speak and teach Spanish are given in this pamphlet, and many, also, to his amiable and courteous deportment. They come not only from some of those who were his pupils at the time but from some past pupils and from well-known teachers of Spanish in various institutions of learning. As for the opposite opinion Gen. Delafield fully set it forth sixteen years ago. We cite from the pamphlet Prof. Bartlett's letter:

WEST POINT, August 21, 1880.

Prof. P. de Janon, Present:

SIR: Circumstances which you will readily recall and appreciate have induced the belief that testimonials in regard to your professional and personal character might be deemed by you acceptable, and I come to offer you mine. I have often witnessed your examinations, and under circumstances which made it my duty to give to them my utmost attention, and it gives me pleasure to say, as I do without reserve, that they have appeared to me entirely satisfactory, and creditable alike to yourself and pupils. This opinion has been confirmed by repeated declarations on the part of those better able to judge of your qualification as a teacher of the Spanish language than myself, and I have no doubt of its justice.

Whatever grounds may have existed originally for a difference of opinion on the subject, it is too late now to deny your fitness for the present position. Three years of assiduity, devotion to the business of teaching, superadded to a habit of speaking the Spanish language from childhood, must have removed them, and given to you all the qualifications demanded by your official station. These considerations, together with your uniformly gentlemanly character, considerate and conciliatory deportment, and entire abstinenace from interference in the affairs of others, have entitled you to the respect of all good men, and shown you to be worthy of the official station entrusted to you by the Government.

With cordial respect, I am your obedient servant,
W. H. F. BARTLETT, Prof. Phil., West Point.

OUR information is that there is no truth in the various statements appearing in the daily papers to the effect that the sub-committee of the House Committee on Military Affairs have prepared a bill reorganizing the Army.

AGAIN a wail comes to us—this time from Texas—of the manual labor required of soldiers in that region, road-making, etc., and asking if something cannot be done to remedy the evil, and afford a little more soldiering and a little less navvying. Time, which heals every sore, may also heal this one. We trust it may, and soon.

THERE seems to be reason to believe that the converted guns in both the Army and Navy are rifled with an insufficient pitch. As this must seriously impair the efficiency of these weapons the error should be promptly corrected. This is especially important in the Navy, which is liable to be called upon at any time to make a mortifying exhibition of its impotency, having, as Congressman Harris deprecatingly remarks, "less than forty rifled guns." If it is true, moreover, as the information we receive would seem to show, that the projectiles supplied with these guns are so defective, if not dangerous, as to seriously cripple such vessels as the *Trenton* and *Richmond*, the misfortune is to be doubly deplored. In view of the million of dollars recently returned to the Treasury from the Navy Department, the usual explanation of poverty would not appear to be the true one in this case. Our Navy is pitifully small, but we believe its officers may be expected above those of any other nation to use the material at hand to the most intelligent advantage, and they should not be handicapped by any unnecessary inferiority of military stores.

DURING the debate on the case of Jas. Monroe Heiskell, reported under our congressional head, Senator Logan stated that Congress had reinstated two officers who had resigned to escape participation in the War of the Rebellion. Mr. Burnside corrected this statement, and said of the two officers referred to: I was in command of the Army of the Potomac at the time the occurrence took place, and I did not believe Col. Haller was a disloyal man. I do not believe to-day he was disloyal. He fought gallantly in every battle he was engaged in; but for some reason the Secretary of War took that action and I am not going to criticize it. He has gone to a higher court than we can create here, and to a better judge. I am willing to let that matter stand just where it is. Col. Wyse resigned from the Army because he was ordered on a duty which he could not perform, and which it is well known he could not, and he resigned. I do not mean to say how I voted in his case. The Secretary of War held his resignation for more than a year, I believe, or certainly a year, and the whole thing had passed out of consideration. Colonel Wyse thought that he was as much an officer of the Army as I was at the time; and suddenly after this long space of time had passed, his resignation was abruptly accepted. He did struggle for reinstatement, and his wife struggled to aid him, as in duty bound. The Military Committee considered the case. It is thought in its best judgment that it would be well to allow the President, if he thought proper, after investigating the case, to reinstate Colonel Wyse and place him on the retired list. That was the action of the Military Committee on these two cases. I do not mean to say that it was right; I am surely not disposed to say it was wrong. I mean to say that it is not legitimate and fair criticism to criticize the action of the committee.

CORRESPONDENCE.

The Editor of the *ARMY AND NAVY JOURNAL* does not hold himself responsible for individual expressions of opinion in communications published under this head. His purpose is to allow the largest freedom of discussion consistent with propriety and good feeling.

ANOTHER TRANSFER WANTED.

To the Editor of the *Army and Navy Journal*:

SIR: While the 5th Artillery are quizzing the future and craving a move; and the 4th Artillery are also peering over two mountain ranges for a glimpse of a more tumultuous ocean; why cannot the transit from Everglade to Canyon, and *vice versa*, be again acted in histriony ready for the hand of a red-legged scribe?

Yours hopefully, A CROSSED CANYON.

THE "HERO OF MILK RIVER."

FORT FRED. STEELE, W. T., Feb. 16, 1880.

To the Editor of the *Army and Navy Journal*:

SIR: I trust you will allow me a few lines in the columns of the *JOURNAL*, to allude to your editorial of the 7th inst., reflecting upon the "intelligent non-commissioned officers and men of the Army," and more especially upon "enlisted men of 3d and 5th Cavalry," who signed a paper published in the *Sunday Herald* of 1st inst., under the heading of the "Hero of Milk River." Since the reflection is equally upon men of both regiments, it will be seen that excepting Sergt. Neurohr and myself (of Co. E, 3d Cavalry), the remaining twelve were all of the 5th Cavalry—Lieut. Cherry's regiment. One of our sergeants declined to sign the paper aforesaid, which was brought to us in Camp at Rawlins by a corporal of the 5th Cavalry, and it was signed by us, not wishing to do anything "subversive of all discipline," but because we were informed that it was not to be printed, and that it was to be used by Lieut. Cherry for private purposes only, and to secure a staff appointment.

Very respectfully yours, EDWARD MCKIERNAN, Sergeant Co. E, 3d Cavalry.

THE CASE OF PAYMASTER BELLOWNS.

To the Editor of the *Army and Navy Journal*:

SIR: Paymaster Bellows, when attached to the *Shamokin* in 1868, was reported by his commanding officer for improperly negotiating two bills of exchange.

On this report charges were subsequently preferred against Paymaster Bellows for defrauding the Government, or negligently performing his duties, so that the Government suffered loss.

Paymaster Bellows made no defence before this court, except a general denial of the charges.

This action was taken. First, from a feeling that he was innocent and unjustly arraigned, and being fully confident that there was no testimony which could in any way affect his integrity as an officer. Second. The injustice and illegality of the court, two-thirds of the members of which were his juniors. Of three pay officers on the court all were juniors to Paymaster Bellows. For these reasons, and perhaps wrongly, Mr. Bellows decided not to defend his case before the court, contenting himself with a denial of the charges, in a statement which was appended to the proceedings.

The finding and sentence of the court, a sentence of dismissal, was acted on by Rear-Admiral Davis, the officer convening the court, as follows:

Respectfully forwarded, with the remark that the finding of the court is not sustained by the evidence, which fails to show that the accused received from the bank the amount of money he is charged with having received.

(Signed) C. H. DAVIS,
Rear-Admiral, Comdg'g South Atlantic Station.

Notwithstanding this action of the Admiral, which forever closed all proceedings as far as the court sentence was concerned, Secretary Welles, in direct violation of law, arbitrarily dismissed Paymaster Bellows from the Service in 1869.

Mr. Bellows immediately tried to have the action of the Department reviewed, and the illegal letter of dismissal annulled. Secretary Robeson took his case into consideration and referred the matter to the Solicitor of the Navy, who decided that Mr. Bellows had been both unjustly and illegally dismissed from the Service, and that he was properly an officer of the Navy.

The Secretary of the Navy, while acknowledging the justice and equity of Paymaster Bellows's claim, stated he had no authority to restore him to the Navy, if such restoration necessitated any claim on the Treasury.

Paymaster Bellows was unwilling to renounce what he believed to be his just claim, and wished to do nothing which in any way would place him in the wrong, or have the appearance of doing so.

Mr. Robeson finally informed Paymaster Bellows that if he would give up all claim to "back pay," he would restore him, and so the matter remained during Mr. Robeson's administration.

About a year ago Mr. Bellows, by the advice of his friends, gave up his claim to back pay, and called the attention of the present Secretary of the Navy to his case. The matter was referred by the Secretary to the Acting Judge-Advocate-General of the Navy, and finally to the Attorney-General. The case was again reported favorably, the Attorney-General deciding that Paymaster Bellows had never ceased to be an officer of the Navy.

By directions of the President, and by the unanimous advice of the Cabinet, Paymaster Bellows's name was restored to the Register, from which it had been so unjustly and illegally removed.

In relation to Paymaster Bellows's back pay, it may be here stated, he has been for many years in the employ of the Government, and until lately restored to the Navy, filled the responsible position of Chief Clerk of the U. S. Treasury at San Francisco.

As no officer of the Government can draw the pay of

two offices, the question of back pay was not a very important one in amount, and only considered by Mr. Bellows in relation to giving up right, of which he considered himself unjustly deprived.

In conclusion I desire to state that the proceedings of the Court-martial which tried Mr. Bellows were carefully reviewed by the late Solicitor of the Navy Department, and the opinion of revising authority of the court that the evidence failed to substantiate the charge, was most emphatically sustained.

It is the impartial judgment of every one who is fully acquainted with the facts in this case, that the dismissal of Paymaster Bellows was both illegal and unjust, and his restoration was a simple act of justice to an innocent and deeply injured man.

The facts of this case, as given above, are taken from the record of the Court-martial which tried Mr. Bellows, and from various papers on file at the Navy Department, authentic copies of which are in my possession.

H. B. ROBESON, Commander U. S. Navy.

It seems to us that justice to Paymaster Bellows required that some such publication as this should have accompanied the announcement of his restoration to the Service. Where one Secretary is mistaken another may be, and it is right to ask of an official restoring an officer dismissed by his predecessor that he should give his reason for reversing the previous judgment. How much this case has been misunderstood is shown from the letter we published, written by an officer of long service, and one who should be well informed as to the circumstances of the case. Another communication of the same character, from an officer equally familiar with the facts, has been sent to us for publication. It is very satisfactory to know that such excellent reasons exist for Paymaster Bellows's restoration, and the confidence that has been reposed in him by the Government since his dismissal, should go very far to influence the judgment of those who are disposed to entertain a prejudice against him because of that dismissal. Mr. Bellows is the nephew, not the son, as stated, of Rev. Dr. H. W. Bellows, a gentleman in whose capacity to judge justly, independent of prejudice or interest, we have so high a confidence that his personal assurances concerning his kinship have great weight with us, as they must have with all who know Dr. Bellows. In support of his own judgment in the matter he has shown us a letter to the Secretary of the Treasury, from the Assistant Treasurer of the United States at San Francisco, Wm. Sherman, under whom Mr. Bellows has been since June 1, 1873. Mr. Sherman after bearing testimony to the promptness, faithfulness, and eminent ability with which Mr. Bellows's duties have been performed, says: "I most cheerfully bear testimony to his character for ability, reliability, and high moral worth, strict honesty, probity, and honorable conduct in every particular. It is with sincere regret that this office submits to the great loss it sustains by his transfer from his late position. Mr. Bellows occupies a high social position, and it will render a service to a tried and efficient officer if the Hon. Secretary will be pleased to endorse this letter, and refer the same to the Hon. Secretary of the Navy, that it may be placed on record in the Navy Department."—En.

LAIDLEY RIFLE FIRING.

To the Editor of the *Army and Navy Journal*:

SIR: My attention has been called to the article in your last issue, entitled "Col. Laidley's Rifle Practice Enjoined," and that those of your readers who may be interested in the subject may have a perfect understanding of its merits, I desire to make a few remarks in reply to what you have said.

On the 9th of January last I received a letter from E. R. Pelton, of New York, saying that Messrs. W. C. and F. P. Church, publishers of *Wingate's Manual*, had brought a suit against him for infringement of copyright in selling my book on Rifle Firing. I replied that I did not propose at the present time to take any steps to prevent an injunction from being issued. Two considerations induced me to take this course. In the first place, Col. Wingate, on the 25th of August, 1879, gave Messrs. J. B. Lippincott and Co., the publishers of my book, formal notice that he proposed to stop its publication, and inquired what course they proposed to take in the matter. It seemed to me that when the attempt was made to stop the publication of the book it would be the time to defend it.

In the second place, I had already commenced a revision of the book, preparatory to getting out a second edition, in which I propose to correct certain errors which had escaped my attention, and introduce some new matter, which I think will give additional value to it, making it more full and complete in some parts.

As the edition then printed would probably be soon exhausted, it appeared preferable that any litigation which might arise should be on the new edition rather than on the one of which it was not proposed to print any more.

In the pamphlet which I published in reply to Col. Wingate's charges of infringement of his copyright, I showed how groundless were those charges, and those whom I have heard express an opinion in regard to it (and any one could get a copy by applying for it) are unanimous in pronouncing the vindication complete. Still, if it is possible I prefer to avoid all litigation, and any just cause for it, as my tastes do not run in that direction, and I prefer to devote my time to other and more useful pursuits. If, however, Col. Wingate and his publishers are of opinion that my book is "largely composed of extracts copied from the several editions of the said Wingate's Manual," they shall have the opportunity of proving it before a court of justice, for the new edition, though it will have some new matters of interest, will also contain all that is desirable and useful that is to be found in the first edition.

T. T. S. LAIDLEY, Colonel of Ordnance.

[It is, of course, impossible for the author or for the publishers of *Wingate's Manual* of Rifle Practice to say whether the work Col. Laidley is proposing to publish will or will not infringe their copyright. They have distinctly charged that the book already published by Col. Laidley does infringe that copyright, and have sub-

mitted their proofs to the only tribunal competent to decide it—a court of the United States. Even the *unanimous* opinion of partial friends counts for nothing in determining a question of legal right, and it seems to us that Col. Laidley owes it to himself to answer the complaint made against him in court. There is no disposition to take advantage of his neglect in this matter. We are authorized to say that consent will be given to reopen the case if he still wishes to reconsider his determination not to appear and defend. Col. Laidley will do us the justice to remember that we have given to him the same opportunity to present his case in our columns, that we have to Gen. Wingate, and have not undertaken to determine a question in which our judgment might be supposed to be influenced by personal interest. We do not think we can be accused of unfairness, however, if we say that Col. Laidley is in a most unfortunate position, if he has nothing better than this to say in answer to a judicial determination that he has made illegal use of another man's literary property. —Ed.]

NAVAL TRANSPORTS AND SUPPLY VESSELS.

To the Editor of the Army and Navy Journal:

SIR: In view of the discussion recently held in the U. S. Senate in regard to the advisability of employing a man-of-war to transport the articles of food to be contributed for the destitute in Ireland; and also in consideration of the fact that scarcely a year passes by but a similar resolution is passed or offered in Congress, it seems to me to call attention that an extremely useful class of vessels is wanting in the Navy.

Resolutions of this kind are readily offered and as readily passed, but when the selection of an appropriate vessel is to be made, the difficulty comes. Experience has proven, as Senator Thurman sensibly remarked, that naval vessels are unfitted for such purposes, and transportation becomes very slow and very expensive. The result of sending vessels to carry goods to the Paris Exposition is the most recent example of this kind. The enforced selection of a vessel like the *Wyoming*, and the unfortunate cruise of the *Constitution* is an evidence to the naval mind quite satisfactory on that point. In a few words we can say that there are no vessels in the Navy that will *fully* meet the demand, and there are but *few* that will even partially do so.

So many demands for public vessels seem to create a want for a class of ships, which should be either built or bought for the Navy to perform the duty of transport, supply, and expeditionary vessels. Every other service has them, and we had in times gone by, sailing vessels that were used for this purpose; one or two of them are still left as obsolete and worn out.

While fully aware of the fact that this is not the most pressing need of the Service, by any manner of means, still as there is a strong movement hoped for, and I trust being made to reconstruct the *materiel* of the Navy, it is earnestly suggested that the question of a transport system of naval steamers, fully rigged, should not be overlooked.

The transport and supply service is alike useful in time of war and peace, in fact is necessary in time of war. In time of peace it could be properly employed in transporting military forces along the Atlantic and Pacific seaboard, relieving crews of vessels destined to remain on station, and doing the multifarious work which a public vessel of the kind is needed for by the Government at large. As a supply vessel the need in war is self-evident, and in time of peace it would be found more economical and efficient to keep the squadrons supplied with stores and provisions by means of supply vessels, than to have storehouses full of articles, rapidly deteriorating or altogether useless. Besides these storehouse and provisioning stations exist as a rule only by the sufferance of foreign governments.

S.

BOATS FOR INDIAN CAMPAIGNING.

To the Editor of the Army and Navy Journal:

SIR: Many of our Indian campaigns are either frustrated, or embarrassed and delayed, by the inability of troops to cross rivers and deep streams not fordable. The delay on the Salmon river at the mouth of White Bird Creek, waiting for boats from Slate Creek, Warrens, and other points above, gave the Indians a good ten days' start of General Howard. Again, down near Craig's ferry, on the same river, no boats could be procured; a raft was constructed, which signally failed, and the command had to "take the back track" to the point of original crossing, while Joseph and his Indians were busy with the gallant Rains and his small party at Cottonwood, all of whom were killed.

Let us follow on to Kamai on the Clearwater, and see the unavoidable delay there for want of boats. Again, when General Howard contemplated crossing the cavalry at Dunwell's ferry, so as to work up on the Meipe and thus cut the Indians off from the Lo-Lo trail and bringing them between two fires, it was found that the Indians had destroyed the ferry, and the manœuvre was abandoned. Here was an opportunity lost that, properly used, would have closed the campaign then and there, saved many valuable lives, and thousands of dollars in property and war material. Everybody knows that the Indians scuttle their canoes, or sink them after crossing a river, when troops are in pursuit, so that dependence on their boats would be fallacious. The chances of obtaining assistance from citizens is very small, and, if obtained, it is generally very expensive.

During the Bannock Indian campaign, when Colonels Sanford and Barnard were crossing the Snake river, near the Big Bend, much delay and annoyance was

caused, and several lives nearly lost, for want of boats. These are but a few of the instances in which a command has been embarrassed and delayed, and plans frustrated for want of proper means to cross unfordable rivers and streams. Troops in Montana, Nebraska, New Mexico, Dakota, and in fact everywhere on the frontier, have met with similar experiences. The outlay of a few thousand dollars would at once remove these obstacles, and place scouting parties and expeditions entirely independent. Every company going out on a campaign should be supplied with a light, canvas, folding boat, capable of holding 900 lbs. or 1,000 lbs. We know that men travel hundreds of miles in them with 300 or 400 pounds of baggage, and that when folded up for packing, one boat will not weigh more than 50 or 60 pounds, while the cost is not much.

Had General Howard canvas boats in the Salmon river—one to each company—the command could have crossed in a few hours, instead of being delayed as it was just a week, including the delay waiting for boats to be sent down, and the trip across the Lo-Lo would yet be in the prospective.

It may be urged that there is always canvas enough with a command to construct a boat. This is very well when Staff officers are along, and have plenty of tents, wagons, and paraphernalia of that kind; but General Howard's troops did not have them, nor do troops in the Salmon, or Blue Mountains, or any other mountains, have wagons. When out on a campaign, a pack mule and piece of shelter tent is good enough. Each frontier post should be supplied with the style of boat suggested, and the number equal to the number of companies comprising the command, all of which would not cost probably more than five or six thousand dollars.

"KAMAI."

MILITARY STATISTICS.

To the Editor of the Army and Navy Journal:

SIR: I have the honor to invite attention to the following subject, which I am respectfully of the opinion demands the most earnest consideration, and is of vital importance to the military interests of our country.

Having now for several years been deeply interested in the collection of military statistics of our own and foreign countries, and been engaged in the study and comparison of such data, I am convinced of the entire feasibility of forecasting "possibility," "chances of success," "rates of sickness," "death," etc., etc., in such future wars as may perhaps some day visit us. The records of the War Department are becoming more systematized yearly, and in its various bureaus at this time great interest is awakened in codifying the records and data of the past, the importance of which it would be vain to predict, but far from too trivial even now to become enthusiastic over.

In view, therefore, of the vast strides this country has made in all branches of art and science, and also in deep conviction of the unlimited, but hitherto unrecorded, military resources we possess, I would earnestly suggest the immediate consideration of the proper steps to realize all the possible advantages to be gained in the now rapidly approaching canvassing for the census of 1880. An opportunity will soon be offered for collecting a most interesting amount of data, which will be of practical value to the War Department and the military service.

State military returns to the Adjutant-General are, it is understood, generally very imperfect, and irregular; and it is believed that, were the census gatherers charged with the collection of a few specially desirable statistics of a military nature, in addition to their other duties, none could fail to perceive their immense value. The subjects upon which information is lacking are too numerous to be recounted hastily, and cover the whole field of our resources, viewed from the military standpoint. For instance: under the head of "Military Education" we have various grades of schools running down from West Point, our chief Academy, through the thirty national colleges, and the various State military schools, to the numberless private ones so much patronized by our people. It would be a matter of valuable interest to know how many scholars are now undergoing such a course of training; whether they eventually join the National Guard; their average age, their equipment, the number of hours devoted to drill and study, etc., etc.

The capacity of our Military Manufactories suggests another equally important heading. They must be far more numerous than we have any idea of, since we materially aided both Turkey and Russia in their late struggle, in both arms and ammunition, and that without the least cramping our own wants. The subjects of State Pensioners, Homes, Asylums, Arsenals; their contents, location, etc., etc.—all these subjects once codified and filled out as to authentic data, would furnish a fund of information the value of which a sudden emergency only could fully establish. These, and a vast number of other equally important data, can be readily obtained.

The time is short. In four months the agents of the new census will begin their brief period of arduous canvassing. Before that time proper blanks can be arranged, sources of information pointed out, and, if necessary, the legislation perhaps requisite hurried through Congress. An exceptional case will demand exceptional attention. The present census is to be a vast improvement on all former ones, but will possess no special military interest unless the value of some steps, such as those suggested, is appreciated, and the necessary measures instantly put on foot. From one or two interviews with General Francis Walker and his office, relative to this matter, I am convinced that the collection of a large mass of such important data may even yet be fully realized. It is unfortunate this matter were not already in an advanced state of preparation; but sufficient time remains to render the effort still worth the attempt, and at any rate to make beginnings, which shall secure them in future such a place in the census of our industries as the military interests of our country surely merit.

At the suggestion of General Walker I am myself undertaking the preparation of certain formulas I desire to be filled out in the immediate interest of my own studies in the tables of the American War Game, but should the JOURNAL find merit in the idea respectfully suggested herein, and with its customary push set the requisite measures on foot, far more benefit would result to all concerned in this interesting and important matter.

Trusting the subject will meet with the favorable consideration of all who can assist in so desirable a work, and with a deep interest in its furtherance, I am, etc.,

"STRATEGOS."

U. S. MIL. ACADEMY, WEST POINT, N. Y.

LINEAL PROMOTION FOR SUBALTERNS.

To the Editor of the Army and Navy Journal:

SIR: As there is little prospect for the relief of the subalterns in the line of the Army—and especially the 1st lieutenants of artillery—through the retirement of the senior officers, as is provided for in the Navy, or in any other way, would it not be advisable to have a law similar to the following?

Be it enacted, etc., That whenever any 1st lieutenant in the artillery arm of the Service shall have served fourteen years' continuous service as a 1st lieutenant in the Army, he shall be promoted to the rank of a captain of artillery. Provided, That the whole number of officers in the said artillery arm of the Service shall not be increased beyond the number now fixed by law.

To which might be added, for the benefit of those who believe in lineal promotion throughout the arm of the Service:

And provided further, That all officers promoted to be captains of artillery in accordance with this act, shall be assigned companies in the said artillery arm of the Service, according to seniority, as vacancies shall occur in the rank of captains commanding the same.

If this be considered too exclusive, substitute something like the following:

An act for the relief of the lieutenants in the line of the Army.

Be it enacted, etc., That whenever any lieutenant in the cavalry, artillery, or infantry arms of the Service shall have served fourteen years' continuous service as a lieutenant in the same grade in the Army, he shall be promoted, if a 1st lieutenant, to the rank of a captain, and if a 2d lieutenant, to the rank of a 1st lieutenant in his arm of the Service. Provided, That the whole number of officers in either of the said arms of the Service shall not be increased beyond the number now fixed by law. And provided further, That all officers promoted to be captains in accordance with this act, shall be assigned companies in their respective arms of the Service, according to seniority, as vacancies shall occur in the rank of captains commanding the same, and that all officers promoted to be 1st lieutenants as hereinbefore provided, shall be assigned to regiments in their respective arms of the Service, as vacancies shall occur in the rank of 1st lieutenants in the same.

To secure due consideration, it is recommended that the adjutant of each regiment of the line, draw up an act similar to the above, or that will accomplish the desired end if made law, and submit the same to the colonel of his regiment for his remarks; the paper to be then forwarded through department and division commanders to the General of the Army, and by him submitted to the Honorable the Secretary of War, with the request that he submit the same to Congress for its consideration and any action it may see fit to take. S.

FORT JOHNSTON, N. C., Feb. 23, 1880.

[It will be seen by a reference to our report of Congressional proceedings that a bill was introduced, Feb. 23, by Mr. Le Fevre (H. R. 4679), which answers this suggestion.—Ed.]

(Correspondence of the Army and Navy Journal.)
AFFAIRS AT WASHINGTON.

WASHINGTON, Feb. 25, 1880.

THERE is a speck of trouble ahead, if we may believe the rumors that are afloat concerning an Isthmus Canal and the Monroe doctrine. These rumors set us to thinking about our sea coast defences, or rather about our total lack of them. Some gentlemen in the Senate commence to whisper, and when they go into a discussion of the Isthmus Canal they propose that the doors shall be closed; for there are some things to be said that had better not appear in print just at this time. It is stated that some of the foreign powers—most notably England and France—have said that they did not care a rush for the Monroe doctrine, and that they have entered in a treaty with some of the Central American powers, by which they agreed to protect any one who will contract to build the canal, for they do not see why the United States should object to a canal which would benefit the commerce of the whole world, and that we would have no right to object to the building of a canal by foreigners.

And what are you going to do about it, they say. Some of those little republics down there have iron-clads that can run into any of our harbors and smash up our largest cities, and we have nothing to keep them from doing so. We are so busy in passing the bills for paying arrears of pensions, and in reading petitions for the payment of difference between greenbacks and gold to the soldiers of the late war, that we lose all sight of the defences of the country. And then the arrears of pensions—which was a stupendous folly—will take more money than would take to build a fleet of iron-clads, and if there could be found men enough in Congress to pass the bill to pay the difference between greenbacks and gold, it would cost more than the whole of our national debt as it now stands.

We can fire off our Monroe doctrine as much as we please, but we cannot frighten the world with it any more than we could with a Chinese *tom tom*, just at this present time.

The *Kearsarge* has gone down to Aspinwall and the *Adams* has gone to Panama to look after our coaling stations at those points. This has given rise to the re-

ports that naval stations were to be established at the Isthmus, and we think it not unlikely that Secretary Thompson is looking around for something of that sort.

Those officers of the Army who considered themselves in danger of having a set back in promotion by the reinstating of officers who wished to return to the Service with their former rank, will have a crumb of comfort in reading that the Military Committee have done quite a large business in making adverse reports upon the bills for the relief of the ex-officers. Really, a great many of these cases are of no merit, and it is thought that the gentlemen in Congress are getting tired of them.

Rear-Admiral S. P. Lee, by refusing to sell a small lot, for which he could receive a great deal more than its real value, and entirely preventing the establishment of a school of design at Washington, has caused no little comment among all classes at the Capital. It is positively certain that if he would sell his lot—and for an enormous price, too—Mr. Corcoran would make an addition to the beautiful building which he presented to the city, which would be a source of real joy for generations to come.

EBBTT.

(From the London Army and Navy Gazette, January 31, 1880)

TRIUMPHS OF THE GATLING IN ENGLAND.

THE Select Committee appointed to inquire into, and report upon, the relative merits of various systems of machine guns, entered to compete at trials organized by the War Office at Shoeburyness, met there last Monday week, and commenced what was intended to be an elaborate series of experiments, laid down in a programme drawn up at the War Office, setting forth the numerous tests to which each gun would be subjected. The first condition laid down was that each weapon should fire a minimum of 400 rounds per minute, and the first day was devoted, in consequence, to rapid firing. The guns under trial were the Nordenfeldt and the Gatling. Since then, little or no progress has been made, and, on Tuesday last, Colonel Hastings was somewhat astonished on most unexpectedly receiving orders from the Secretary of State for War, by telegraph to adjourn both the Select Committee and the trials "sine die." It is impossible to say what are the reasons which have led to the issuing of this order. Mr. Nordenfeldt has for a lengthened period been preparing for this trial of his invention, and is on the spot; while the Gatling Gun Company have sent Dr. Gatling to this country to watch the trials on their behalf, the Company having received but a few weeks' notice that the War Office had decided to use the Boxer Martini-Henry service ammunition at this trial, for which the Gatling gun is not adapted. The arrival in England of Dr. Gatling was unexpected, and rumor has it that his turning-up so suddenly was anything but a pleasant surprise to the organizers of these trials, and that they have therefore been abandoned,—at least, for the present.

This is not as it should be. It is a well known fact that Mr. Nordenfeldt has been busily engaged for nearly two years converting his gun so as to enable it to fire the Boxer cartridge, but it appears from inquiries we have made on the spot, that the notice to the Gatling Gun Company to adapt their weapon to the use of this inferior cartridge was extremely short. The consequence was that the gun first sent to Shoeburyness having been designed to fire the solid drawn cartridge, it had to be sent at a moment's notice to Elswick to be converted, so as to comply with the conditions laid down in the programme of the Committee issued by the War Office. Having been hastily altered, Sir William Armstrong's firm returned the Gatling to Woolwich to undergo a preliminary trial; but before it was fired, Captain Bainbridge, a member of the Committee, gauged the chambers, and finding that they varied slightly from the regulation standard, suggested that they should be reamed. This was done; but, strange to say, the reaming spoiled the working of the gun. It was at once sent back to Elswick, where new barrels and chambers had to be fitted to it. Hearing of these *contremps*, the Gatling Gun Company sent over Dr. Gatling to superintend whatever alterations the War Office might still further require. In the meantime, Sir William Armstrong's firm, pushed for time, hurriedly got the gun ready, to avoid its being excluded from the competitive trials. The intricacies of red-tape are certainly difficult to unravel, and more difficult still is it to understand the principles or motives which influence those who pull the official wires behind the scenes. At the present moment, after having fairly tried the Boxer cartridge, wrapped in thin brass foil and brown paper, all governments except our own have rejected it, adopting in its stead the solid drawn brass case, which is as smooth as the Boxer casing is rough and wrinkled. That some unseen influence is at work, endeavoring to have the obsolete Boxer cartridge retained as the Service pattern in this country, cannot for a moment be doubted, or else why decide on rather decreasing the efficiency of the machine gun than abandon the use of the Boxer cartridge? With the solid drawn brass cartridge used by all other Governments, the new Gatling gun fires about 1,000 rounds per minute. This fact has been thoroughly established, and is well known at the War Office, and yet, sooner than give up the Boxer cartridge, the standard of efficiency of the gun is reduced by 600 rounds a minute! This is necessitated by the fact that the rough exterior surface of the Boxer cartridge prevents its rolling home as smoothly in loading as is the case with the solid drawn cartridge. The friction set up retards, while the wrinkles and shoulder which often obtain in the Boxer cartridge after a day or two of service intermit the loading. These facts being known at the War Office, the standard of efficiency of the gun is reduced. And the first condition laid down in the programme is that each gun shall fire at least—only—four hundred rounds a minute, when it is well known that the Gatling Gun Company are prepared to supply mitrailleuses throwing one thousand rounds in the same space of time.

These facts challenge contradiction. We refrain from making any comments, beyond reminding the officials who are responsible for the adjournment of the trials, that they are showing but scant courtesy to the strangers their own acts have brought to our shores. The opening proceedings of the Select Committee last Monday week consisted in testing the Nordenfeldt and Gatling guns in rapid firing. No targets were used, the ammunition being simply fired away as fast as those serving the guns could succeed in discharging them. When discussing the result, however, it must not be forgotten that a much longer period had been occupied in converting the Nordenfeldt than the Gatling, and that, whereas the former had ten barrels, the latter had but six; and as its conversion was hurriedly executed, it cannot be said either to be a fair sample of what the Gatling Gun Company can produce, or to do justice to the system invented by Dr. Gatling, a system peculiarly adapted to fire the solid drawn brass case cartridge adopted by all foreign Governments. Hence the fault due to the cartridge should not be attributed to the gun.

The difference between the two systems under trial, in addition to the number of barrels to each gun, consists in that the Nordenfeldt is a volley-firing weapon, discharging ten rounds at a time; while the Gatling fires each round separately, but in rapid succession, when it is essential to maintain a heavy fire. The great fault of the French mitrailleuse was that it was a volley-firing gun, and we remember on more than one occasion having our attention called during the Franco-German war to the bodies of German soldiers which had received nearly the whole discharge. On one occasion, we heard of a soldier receiving seventeen bullets in his body. Such a waste of ammunition is impossible with the Gatling. It will be observed, however, that the conditions under which these two guns were being tried were unequal. Nevertheless, the Nordenfeldt, with its ten barrels discharging ten rounds at a time, fired about 500 rounds in the minute; the Gatling, with its six barrels, firing about 400 rounds in the same time, including stoppages due to defects in the Boxer ammunition supplied by the War Office. But, in discussing these results, we should not confine ourselves to a comparison in this case of the relative number of rounds fired, should we honestly desire to secure for the British Army the very best weapon it is possible to produce, as, in other points, the Gatling showed great advantages over the Nordenfeldt. Firing, as does the latter gun, ten rounds in a volley, its recoil is great, and necessitates the re-sighting of the gun with each round fired. This causes a serious loss of time, and diminishes the effectiveness of its fire. Not so, however, with the Gatling, which, firing but one shot at a time, although these are fired in rapid succession, it receives but the constant shock of one explosion or discharge, and is therefore neither moved nor displaced by any recoil.

The difference in the effect of the fire of these two guns was somewhat curiously forced upon our notice last Monday week. A stray dog, observing the shot striking the shallow sheet of water spread over the sands, rushed at the spot while the Nordenfeldt gun was being fired. To cease firing on account of the dog was not to be thought of. Strange to say, the recoil of this gun, resulting in an increase of elevation at each discharge, saved the animal's life. Each successive discharge passed over the dog, and struck the water a few yards further off than did its predecessor, when on rushed the dog to seek where the water was last disturbed. When the firing ceased the dog was unhurt. Far different, however, would have been the fate of this poor brute, had he appeared on the scene when the Gatling was being fired, for the aim of that gun remaining unaltered throughout, each shot, in rapid succession, struck approximately in the same place as did its predecessor. It is, therefore, not astonishing to find that the target practice of the Gatling is far superior to that of the Nordenfeldt gun, a fact Mr. Nordenfeldt has admitted to obtain, when the performance of the new Gatling is compared with that of the Nordenfeldt gun as at present constructed. This defect, however, Mr. Nordenfeldt is sanguine he can remedy.

Far more serious, however, is the defect caused in the Nordenfeldt by the magazine system of loading adopted in that gun. The magazine fits over the barrels, and is made to contain a very large number of rounds. Should these be struck in action by one of the enemy's shots, a serious explosion, endangering the lives of those serving the gun, can scarcely fail to ensue. The Gatling, on the other hand, is loaded with cartridges extracted from single-feed cases, so that in the event of a case being struck by a shot, no wholesale explosion can possibly obtain. Another source of danger in the Nordenfeldt gun lies in its numerous extractors, one being required for each barrel. These happen to be so constructed that, by the simple process known as "the fatigue of metal," they must infallibly give way at some period in the life of the gun; and should one of these extractors break while the gun is in action, the result would most assuredly be an explosion of all the ammunition, both in the gun and in the magazine, on the new cartridge being forcibly jammed by the action of the lever against the non-extracted shell of the one just fired, for at that instant the passage to the magazine would be open. Then, again, the cocking and firing device is defective, and has already led to an accident, attended with fatal results, on board the *Comus*. In the Gatling gun this is so arranged that it is impossible for a cartridge to be fired, except when the lock has all the cartridges full home in the chambers of the barrels, and this obtains only when the breech is perfectly closed. In other words, in the Gatling it is impossible to fire a cartridge except when the lock is occupying all the space from the firing surface to the cam, by those serving the gun never so careless; and it is on these parts that the recoil is received, they receiving the rear end of the barrels. On board the *Comus* all was open when the cartridge exploded, and killed the man who was showing off the gun. This feature in the Gatling makes the gun perfectly safe to the men serving it, while another

marked advantage of this weapon over others is that its locks are interchangeable, and in case of injury can be quickly removed and be as expeditiously replaced, or the gun can be fired with one or more locks taken off. All the working parts of the gun, too, as well as the barrels, are cast in bronze, to afford protection from rust and dirt. The great advantage this device confers upon the Gatling would have been clearly demonstrated, had the War Office allowed the trials to have been concluded, for one of the tests laid down in the programme was that of digging up and throwing sand in large quantities over the guns while they were being fired. Through this ordeal the Gatling gun has already successfully passed in America and elsewhere, and no fear was entertained of its doing the same at Shoeburyness, although, from its having to fire cartridges other than those best adapted to the system, we understand it was thought possible that this converted weapon might have appeared to some disadvantage before the Select Committee. The defects, if any, in the converted gun should not, however, be allowed to militate against the system, than which it is universally admitted a better has not yet been invented; and if the War Office persist in their determination to leave no stone unturned in the attempt to retain the Boxer cartridge in use in our Service, the least that can be done is to give the manufacturers of all machine guns fair notice of the fact, so as to give them time to adapt the weapons they are called upon to produce to the defective ammunition the War Office seems determined to have fired at all costs, and even at the risk of seriously reducing the efficiency of the British Army, hazarding thereby its fate should it be called upon in the future to maintain British rights abroad against the better armed forces of European Governments.

TRAINING OF SEAMEN.

THE ENGLISH, FRENCH, AND GERMAN METHODS DESCRIBED.

A MEETING of the New York Branch of the U. S. Naval Institute was held in the Lyceum, at the Navy Yard, on the afternoon of the 19th instant, which was largely attended by the officers attached to the Yard, and others. Commander Matthews occupied the chair, and a paper was read by Lieut.-Commander Chadwick on the training of seamen, in which he gave a *résumé* of the methods employed in England, France and Germany, and also discussed those which might be adopted with advantage in our own system.

The lecturer first spoke of our backwardness in the education and training of our enlisted men as compared with what has been done abroad, and also in comparison with our advanced ideas and practice in regard to the education of officers, in which we are admittedly foremost, both as to the time of the establishment of a system of higher education and as to the extent of the education itself. "While England, France, Italy and Germany were all making radical changes in their treatment and training of men, we, for many years of the time these changes have been progressing, were almost perfectly supine and careless, depending for our supply of those who were to uphold the honor of the flag afloat, upon the waifs of every nation which drifted to our shores. Nor did we only wait for them to come; we took them on board in every foreign port, until the crew of an American man-of-war represented almost every tongue and color."

The apprentice system in existence between 1865 and 1870 was spoken of. "This system was, however, handicapped by the inducements held out to parents to send their sons on board ship with the prospect of having them enter the Naval Academy. The consequence naturally was that a large number of the boys received on board came with no intention of becoming sailors, and the true aim and *raison d'être* of the system was lost sight of. It naturally died of inanition." In 1875 the *Minnesota* was commissioned as a training ship, the first of the four now in the service, and we are now steadily advancing to an equality, in this regard, with other great powers.

THE ENGLISH TRAINING SHIPS.

About 8,000 boys are kept in the English training ships, who undergo a course of training extending through 14 or 16 months. The ships employed are fine line-of-battle ships, two of which are at Devonport, one at Portsmouth, one at Portland, and one at Falmouth in Cornwall. The entries of this last year were 2,400, the number varying with the exigencies of the service. This number, however, is about the usual waste in the blue-jacket force of the British Navy, which amounts to between eighteen and nineteen thousand, out of a total of forty thousand men in the service. Each of these ships has attached to it a brig of about 400 tons, and a hulk, used for storerooms, and as a receptacle for newly entered boys, where they stay a week and are gotten into shape before going on board the parent ship. No difficulty is experienced in getting boys, the Navy being extremely popular in England, so that the supply always exceeds the demand. The qualifications for entry are that the boy must be between 15 and 16½ years of age, must be of good physique, and must know how to read and write. Stress is laid upon character; no persons from reformatories, or who have been committed by a magistrate, being admitted.

"The schooling is limited in extent, but within the limits is thorough. Nearly all the boys are excellent penmen, good readers, and cipherers. The practical training consists in learning all the work and duties of the sailor . . . daily exercises of spars and sails take place, except in the winter months; handling boats under sails and oars is frequent; cutlass drill, infantry, gymnastics (which is taught by a non-commissioned officer of marines), truck gun exercise and swimming are all thoroughly well taught.

"All these exercises, excepting those of sails and spars, are under the immediate direction of the trained men or petty-officers, who are detailed as instructors in seamanship. Each of the Lieutenants on board has charge of certain subjects, but the men who do the instruction-work under them are a class absolutely unknown in our service, and whose existence in that of

England is one of the greatest evidences of the benefits of their system. These men are almost exactly analogous, in the authority which they exert, to the non-commissioned officers of the Army. While we have always had a large number of men whom we have designated 'Petty Officers,' with large pay, we have never, as a rule, had any who could be really looked to for an adequate return for the benefits they have received. They are not even leading men. It has been, until lately, the custom to make and break them at the humor of the moment; they have existed, and to a large extent do exist, as petty officers in name only. . . . We can only get such a class as those I speak of in the English Navy by training men who are equal to the task of making themselves obeyed. Obedience to-day is not given to superior physique only; it is given much more to mental and moral superiority; to the man who knows how to command himself, who knows the extent of his authority and has the mental and moral force equal to exerting that authority. The truth is we have had no such self-respecting class from which to draw. We must cultivate such a one as all other civilized nations have done; must make the tenure of their position a stable one, transferring them from ship to ship with their rank." The custom of the English service in this regard was spoken of, and also the present regulations of our own Service regarding the enlistment of a continuous service man as a petty officer, who has served three enlistments.

"The scholastic and practical training on board the parent ship lasts about twelvemonth, after which is given a six weeks' sea training in the brigs, and finally a ten weeks' course in gunnery on board the gunnery ship, after which the boy is ready for service. . . . Great care is taken to amuse and instruct outside the regular routine, a large sum being allowed which is mainly used for the purchase of games, bats, balls, etc., and for such books and papers as boyish taste demands. . . . Fifty-three days' leave are allowed during the year, divided into two periods of 16 days each and one of 21. One afternoon a week is set aside for general liberty, and all whose relatives live near enough to the ship are allowed to go home on Sunday. . . . The whole method of discipline is humanitarian; there are as few restraints and punishments as possible, and altogether, I cannot imagine a better school in which to bring up young men of this class." . . .

"The ten weeks' course on board the gunnery ships is thought by many to be too long; it would be better too if this were made a part of the course on board the training ship proper, or in a vessel which was entirely under the control of the commander of this ship. . . .

"Much more attention is given to small arms than with us, and the British sailor is turned out a very respectable soldier. For one I am a strong advocate of much infantry drill, if it is properly given. I cannot see how it can injure the boy or man in any way as a sailor, and it affords a convenient and pleasant variety from sail drill. It need never be so much used as to conflict with the latter; there is no better means of discipline; it affords a good setting up; makes a handier and more capable man, and I regard it as altogether an indispensable adjunct of modern training. There is no reason why a ship's company of 500 men should not be able to land at any time a battalion of 300 perfectly equipped and ready to take the field. . . . The universal praise accorded the blue jackets in the late Zulu campaign, says more than any argument on this subject. Where the soldier was helpless, the sailor was full of expedients. He was always sheltered, always had food, and was always in good fighting trim. I think it would be far wiser instead of decrying efforts to extend our usefulness by saying that this and that does not lie in our way, we should take pride in being able to do so much."

The training of signal boys was spoken of, and also the school for carpenters.

"Bandsmen and buglemen are also trained, giving a uniformity which we sadly lack; the bugle is almost entirely used for calls, and the men of the entire fleet are accustomed from the earliest years of their service to the same notes; the ceaseless variations arising from the whims of captains, executives, or from the taste of the bandmaster are avoided, and one's ears are not afflicted with the unmelodious morsels from popular airs so general on board our ships."

The Greenwich Hospital School, which supports one thousand sons of seamen, marines, etc., until they are of an age to enter the Service, and whence comes the schoolmasters and the ship's steward's boys of the Navy, was highly spoken of.

The long enlistment customary in the English service gives a great advantage. The boy is entered to serve until 28 years of age, and if he then re-enlists and serves until he is 38, he may retire with a pension of a shilling or more a day. Nor do they retain the boy in his rating as boy any longer than possible. At 18 all are rated ordinary seamen or ordinary seamen 2d class—and assume a man's position on board ship. The training given in the stationary training ships and in the brigs is somewhat supplemented by the employment of the *Atlanta*, a small frigate of a thousand tons, which takes on board from 150 to 200 young ordinary seamen, who may be in the depot ships, and makes with them a six months' cruise. During the summer her cruising is done in the vicinity of the British Isles; in the winter she goes further south.

The best age for entry was discussed; the testimony on this point, given before a parliamentary commission, was in favor of 15 and 16 as the most suitable ages; the questions of time and expense being considered.

"If expense and time are unlimited, no doubt the boy taken at 14 and carefully trained for three or four years, will make a better man than one whose education and training have lasted but half this. With the English, however, the question of expense would be almost insurmountable; with ourselves, both that of expense and that of having comparatively but a small part of the boy's enlistment available for active service,

unless we could limit our entries to very young boys, in which case expense alone need be considered."

The training in the *Excellent* and *Cambridge*, of men of good character, taken at any time of their service, was spoken of, also the training of torpedo men and of ship's cooks. "The rations of the boys under training in the English navy, and their hours of meals, are all that could be desired, being far superior to those of the Navy at large, or to those of any other service with which I am conversant."

The coast guard was mentioned with high praise. "Many men during their terms of service are transferred from the Navy on their own application to the coast guard, an institution which all of us, I think, must regret not to have here. If applied to our life-saving service it would give us in time a reserve of 2,000 or 3,000 men at all times available for emergencies, and at all times ready in respect to drill and instruction."

The homogeneousness of the British service, arising from the fact that all their blue jackets are passed through their training ships, and from the fact that the training given in each ship is exactly the same, cannot be too much commended. The captain of the *Impregnable* is the commodore of the squadron, having under the admiralty entire control.

"Everything pertaining to the system is referable to him. . . . There can be no real success in such a scheme without such a subordination to one head. It is better to have one method with some faults than to have the conflicting schemes of individuals, though each in itself may be more perfect than the one general scheme."

The training of men for the merchant marine in England was glanced at, time not permitting an extended discussion of it. The practice of having so many of the mercantile training ships reformatories was deprecated as injuring the general tone of the merchant service.

FRENCH AND GERMAN TRAINING SCHOOLS.

The French methods are essentially different from those of the English. They have schools for each of the branches of their service, the young men selected from the *divisions* (barracks) being first passed through the *Bretagne*, a large line of battle ship in which were 1,378 under instruction last summer. The course here lasts from four to six months, after which further instruction is undergone at other points. There is also a large liner, the *Austerlitz*, in which are 800 boys who are entered at 13 or 14, and are kept until 18, and who then enter the *Bretagne* as part of the recruits. Both these ships are at Brest. There is here likewise a school similar to the Greenwich Hospital School, in which 400 sons of sailors, taken in some cases as early as 7, are educated for the navy. The schools for specialists, to which the novices are finally distributed, are the gunnery school at Toulon, the school of musketry at Lorient, and the two cruising frigates for the instruction of topmen and quartermasters.

There is also a torpedo school at which men are instructed; a school for coast pilots, a normal school for naval schoolmasters, school for firemen and machinists; for dockyard apprentices, and a school for gymnastic instructions. "The system of promotion in the French navy, amongst the men, is most excellent; in all the corps of specialists *brevets* or certificates are given after passing an established examination, which entitle the holders to precedence of selection for petty officers' positions in their especial branches. These examinations are held by regularly constituted boards of officers—five officers usually being upon each; in most cases there is a fixed schedule of questions published by the ministry of Marine, covering the entire subject, and certain percentages of marks are necessary to establish the claim of the applicant to a first, second, or third class certificate."

The criticism made upon the French system was upon the methods themselves and not upon the manner in which they were carried out. "I do not think it consonant with our ideas to differentiate duties to such an extent, and think as I believe most of you will also think, that it is better to have a good general level of homogeneous material, than to have more highly trained separate organizations, which must have amongst themselves many discordant and inharmonious elements."

The Germans give a most thorough training, extending over three years; alternating in service afloat and in barracks. The scholastic training includes arithmetic, geography, history, and music, and, in the case of a limited number who show themselves especially capable and clever, English. The warrant officers of the service are also selected from these boys.

SUGGESTIONS FOR OUR OWN SCHOOLS.

In reference to our own training service, a central station was advocated, through which all the boys should be passed. "At this centre should be either two or three large ships, or what is still better barracks sufficient to easily accommodate all the entries of the year. These ships or barracks should be fitted with all conveniences for study, for exercising, with models for teaching, with bath rooms, means for washing and drying clothes, etc. They should, if ships are used, no longer make a pretence of being men-of-war, but everything should be subordinated to the idea of making them, first, a comfortable and healthful shelter for their inmates; and second, places for successfully carrying on study and the work incidental to teaching. Baths for teaching swimming should be provided, boats in plenty for exercising, and a small ship or brig for teaching practical seamanship under weigh. Here the boys should be kept for 10 or 15 months, according to ability and physique, undergoing such training, scholastic, and practical, as may be determined upon. The former, I think, should be limited to the English elementary branches; writing, spelling, and arithmetic through decimals, in this time can, if we have a properly trained body of schoolmasters, be well and thoroughly taught; some geography and history should be added, plenty of sport allowed, gymnastics should be taught, and lectures on interesting subjects, illustrated by stereopticon views

as much as possible, should be given at least once a fortnight.

Have as adjuncts at this station three small ships, such as the *Saratoga*, *Portsmouth*, and *Supply*, to serve as cruising vessels. At intervals of four months let one of them take on board the boys who have undergone sufficient training at the station and cruise for six or eight months, having the crew of boys fit the ship for sea, and dismantle her on her return. Book work during this cruise should be reduced to a minimum. We thus have given altogether about an 18 months' training, amply sufficient, I think, to fit a bright boy of 16 for a sailor's work. By the time he gets on board a sea-going man-of-war he would be (in the case of a boy who begins at 16) about 18 years of age, and quite old enough to do a man's duty. I think we make a great mistake in keeping these boys as boys after 18 any longer than we can avoid.

"It would be much better to follow the English practice and make them part of the general force of the Service, not nursing them any longer than we can help, but letting them take their chances with the other men.

"I see no difficulty in the way of such a system as this I have sketched turning out well. After it is once in good working order, enough boys can be supplied in every four months to make up the cruising training ship's complement of about 200 boys. . . . We want an elastic system in which a boy can be entered at any time, and be sent away at any time he is fitted to go, certain limits being settled upon, of course; but the general idea is to give a year's training at the depot, and a six months' cruise afloat. The ships used for the latter service should go to sea and stay at sea as much as possible. Make these months a time of hard work; give the ship a limited number of selected men, not more than 50 at farthest. . . . Immediately after the return from sea, and the dismantling of their late ship, the boys should be distributed for service. And here comes in an important consideration: Should these boys go as a small fraction of a ship's company? I say, emphatically, no! With the present class of men we have in the Service, such method is ruinous. Let them form the large majority of the crews of our smaller ships, and have the older hands of these ships as much as possible, selected men. When our Service is largely made up of the persons we are now training, our present plan will be a safe one, but not until then. They are now looked upon by the older men as a privileged class, as interlopers, and are unquestionably ill-treated by them, learning nothing from them, as a rule, but the vice natural to the class we have heretofore enlisted, and being drawn by them into most of the offences for which they have suffered Court-martial."

In the opinion of the lecturer everything seems to point to Narragansett Bay as the best point for one central station. A mild climate, a superb sheet of water in which to exercise: the fact that it is the centre of a large sea-faring population, the presence of the torpedo station, an almost perfect place for the establishment of a gunnery school in connection with the training establishment are a union of advantages, which no other place can show or even approach.

"A question was lately asked in a Boston paper, 'What are naval officers doing for the improvement of the Navy?' Here is a most important improvement immediately at hand for all to work on. It is a thing which demands the deepest attention and consideration, and it is a question largely in our own hands to solve. It is one which may and should have noble results, and it will be a great shame to the Service at large, and to ourselves individually if these results are not achieved."

A discussion ensued in which Commander Matthews, Lieuts. Stockton, Little, Brown, Noyes, and others took part; the views expressed being in close accord with those given by the lecturer.

MILITARY INVENTIONS.

THE following patents for Military inventions have recently been granted:

To Peter A. Holter, of Worcester, Mass., for a revolving fire arm. The split-spring on the face of the rear arm of the trigger vibrates the cylinder-stop when the trigger is pulled to unlock the cylinder. When the trigger is released the spring parts and allows the point of the stop to pass between its two arms.

To William Trabue, of Louisville, for a magazine fire arm. A double incline is arranged in the bottom of the receiver at the delivery end of the magazine. The feeding cartridge is forced up the first incline by the magazine spring, and after passing over the angle which separates the two inclines the head drops and the point is elevated into a position to be forced into the barrel by the forward movement of the breech bolt.

To W. W. Wetmore and Thos. G. Bennett, of New Haven, Conn., for a magazine fire arm. A rear extension on the trigger bears against the under side of the bolt when the breech is open to prevent the movement of the trigger and the operation of the detonator, which retains the cartridges in magazine, so as to prevent the escape of cartridges while the breech is open. A rotating knob at the rear of the bolt locks the trigger and bolt into engagement so that neither can be operated.

The following is a complete list of U. S. patents granted to officers and men of the Army and Navy during the year 1879, reported for the ARMY AND NAVY JOURNAL from the office of Worth Osgood (formerly principal examiner U. S. Patent Office) Patent Attorney, 81 Astor House, New York City.

Navy.—215500, Winslow Alderdice, distance instrument; 222111, 222112, Theodore D. Wilson, air port for vessels, and machine for drawing boats.

Army.—214996, Gustavus C. Doane, tents; 215610, Charles W. Hobbs, tents; 216440, Albert J. Myer, meteorological instrument; 216455, Charles Prims, swimming glove; 219424, 220012, Edmund L. Zalinski, wiping rod bayonet and cutting and intrenching tool; 221079, Wm. R. Livermore and A. H. Russell, magazine gun; 221449, Henry J. Nowland, projectile for small arms.

During some practice with the Whitehead torpedo from the *Hecla*, at Spithead, on the 9th inst., one of these costly engines was lost in 12 fathoms of water. Capt. Morgan Singer has offered a reward of £5 for its recovery.—*London Times*, Feb. 13.

THE STATE TROOPS.

EIGHTH NEW YORK.—Washington's birth-day was celebrated in this command by a full-dress reception, preceded by a dramatic performance at the Lexington Avenue Opera House, Feb. 23d. The play selected was Wybert Reeve's Military drama "Partied," performed by the Minnow Society, assisted by the regimental band, and one hundred members of the command, in full uniform. The immense hall was densely packed with the regiment and its friends, and ere the rise of the curtain there was hardly standing room in the auditorium. The play was a complete success, the hero, Mr. Chas. E. Perring, carrying off the honors. The departure of the soldiers to the war in India, modelled after the celebrated scene in "Ours," was most effective, and was rendered with all the pomp and heraldry of glorious war. After the performance the floor was cleared, and dancing commenced, a programme of twenty dances being offered to the guests, all of whom enjoyed themselves to their hearts' content. The floor was well managed by Captain Wm. Ross, with six lieutenants and the drum major as assistants, while the reception committee, under Col. Scott, assisted by his staff, took most special care of the military visitors, among whom were Generals Oliver, Wylie, and Russell, Col. McEwen and Varnum, of the Governor's Staff; Brig.-Gen. Varian, 3d Brigade and Staff; and representatives of almost every organization in the division. The 8th is the oldest organization in the State National Guard, dating back to the original formation of 1st Brigade, 1st Division, in 1786. It remained a battalion up to the year 1814, and was known as the 3d Regiment until the year 1847, when it was changed to the 8th Regiment. It has a record second to none, as has been proved by its being called upon for duty at every riot, from the famous "Doctors' Riot" to the labor riot of 1877, when it was sent to Syracuse. The command served in the late war as three months' troops, in 1861-2-3.

NINTH NEW YORK.—The attendance at Madison Square Garden on Monday, February 23d, certainly fulfilled all the expectations of the officers and men of the 9th Regiment, for a larger or more brilliant assemblage was never before present in the building. The doors were thrown open shortly after 7 p. m., and from that time until midnight the ticket-takers were steadily employed, while long before the assembly was sounded every seat in the vast building was occupied. The assembly was very late, the delay being caused by the very poor arrangements for the care of the men's clothing. It was half-past eight ere 1st sergeants' call was sounded, and fully fifteen minutes were wasted in the equalization. The regimental formation was good, the companies, twenty files front, coming in from the right and left in solid bodies, the battalion extending over three sides of the room. The only drawback to the perfection of this formation was the delay of the fourth company in coming to the "support," and the poor manual of all the companies. The "carry, order, and parade rest" were of the best description, the movements of the sixth company in line being of the best description. During the sound-off the men were steady as rocks, not a head or hand being moved, and the "present" was exceedingly well delivered. The colonel certainly had no desire to exhibit the manual of the regiment, for he merely ordered carry and order arms, parade rest and attention, and then directed the adjutant to receive the reports. After the "parade is dismissed" and the officers had received the instructions of the colonel, the first sergeants correctly closed ranks and prepared to march their companies off the ground, but as it was intended to present a new stand of colors to the regiment, the officers were compelled to do some tall shouting, and move in double time to prevent the breaking of the line. The ranks were again opened, the standard-bearers and guides advanced to the front, and Brig.-General Horace Russell, Judge Advocate General of the State, after paying a warm tribute to the National Guard in general, and the Ninth in particular, presented to the regiment, on behalf of the Governor and State, a handsome set of colors. The steadiness of the regiment during this presentation was of the very best, but the long wait at "attention" previous to the appearance of the General was most trying, and told on some of the weaker men, for two or three of them fainted, and were carried to the rear. The steadiness of the command may be best understood, when notwithstanding the dropping of these men, not a head or hand was turned, the file closers bearing off the weak soldiers to the rear. At the close the men were very tired, and plainly exhibited the effects of the strain. It was altogether too long to keep them at attention. The regiment was then dismissed, the fronts were reduced to twelve files, and the battalion reformed for drill. It was half-past nine o'clock when this formation was completed. The drill was a repetition of the movements so frequently rehearsed during the past month, and notwithstanding that during the practice drills every care was taken to see that the officers were perfect, this drill fell short of the expectations of the Colonel and spectators. The first marches in column of fours were ragged, and step bad, and in the "to the right close column of divisions" the second division entered the column too soon, and had to be dressed forward, causing the rear divisions to be redressed. In "on the right close column of divisions," through a misunderstood command, the color division executed "to the right," the fourth division halted, while the rear division entered the column, the proceeding causing a rather bad mixture. These errors seem to have upset the company commanders, for in the next movement, "wings column right," the sixth company joined the right wing, leaving the left with but four commands. A repetition was correct. From column of four, on right into line was ordered, the execution being marred by the want of markers to designate the new alignment. These markers were placed one on each flank, and two in the centre of the battalion, and when the color company made its change of direction, and the centre markers found what was going on, they made a dash for the front, one succeeding in breaking through the line and establishing himself opposite the left flank of the third company. The movement was badly executed. The double column, with deployment to the right and left, were only fairly executed; in the deployment the seventh company advanced too far to the left ere wheeling into line, thus causing the remaining companies to dress and redress ere the completion of the movement. Right of companies rear into column was fairly performed; single and double ranks were formed while in column, after which on right into line single rank into two lines was executed, this time three markers and the guide of the first company stopping forward to mark the new alignment. After reforming double rank by the same movement, an advance in line was executed, with close column on first division right in front, on the march, all of which were handsomely performed, as was the deployment on first division. In fact, they were the best executed movements of the drill. Right of divisions rear into column was marred by the support arms of the second and fourth divisions, while the closing in mass and take wheeling distances were correctly executed, with the bare exception that the fourth division started too soon, and had barely company distance. The division fronts were almost perfect, and the marching excellent. The right by companies from these divisions was very poor, but a prompt for-

mation of the column of fours by "companies right forward fours right" prevented the breaking of some of the commands. After a few marches by the flank of divisions and wings, the double column of fours was handsomely formed, while the deployment by fours left, rear companies on left into line, were capitally executed. The double column was then formed, and deployed by two movements in handsome shape, the turns of the rear companies being well and promptly performed. The double column on the march was also capitally executed, showing that the errors of the drill were not the fault of the men. This column was deployed to the right and left, the captains failing, as they did throughout the drill, with the exception of the two left companies, to march in the centre of their commands, they taking post on either flank. After a short rest, the battalion was formed for review, Brig.-Gen. Robert S. Oliver, Inspector-General, State N. Y., being the reviewing officer. This ceremony in line was of the best description. The steadiness of the men during the inspection could not be improved on, while the passage was almost perfect, distances well preserved, step regular, alignments first-class, and salutes good. The wheel into line after the passage showed that the distances had been well cared for, and hardly any dressing was needed. At the close of the review the regiment was dismissed, and the drum corps, under Drum Major Hill, beat the reveille and tattoo. The soldiers and their ladies, with the guests of the regiment, then took possession of the floor, and thirteen dances were indulged in as a relaxation after the hard work of the drill, review and dress parade.

EIGHTEEN NEW YORK.—This command was the only organization in the first and second divisons that honored the birthday of Washington by a regimental parade. Assembly was sounded at 2 p. m. at the armory, and the command, equalized in ten companies, 16 front, in full uniform, was promptly formed and turned over to Col. Unbekant. After receiving the battalion, and executing a few movements in the manual of arms, the Colonel wheeled the right and left companies inward, thus forming three sides of a square, for the purpose of receiving a new stand of colors. When the movement was completed, which, by the way, was exceedingly well done, considering the limited space, Brig.-General Lloyd Aspinwall, of Governor Cornell's staff, was escorted to the front and centre, and, on behalf of the Commander-in-Chief, presented the beautiful flags, the color sergeants and general guides being advanced to the front and centre. In his short address, the General said it became his pleasant duty to give to the care of the regiment the beautiful stand of colors on behalf of the State. The State had now an Executive and a Staff which had an interest in the welfare of the National Guard, and which would use all of their influence to promote that welfare. For his own part he wished to set an example by offering an inducement to the several companies of the 11th to increase the number on their respective rolls, and offered to the company which had the largest number of men on its rolls on the occasion of its next annual inspection a trophy of the value of \$100, which he should take pleasure in presenting to the successful competitor. Colonel Unbekant received the colors on behalf of the regiment, thanking the General for his good wishes and appreciation of the regiment. Chaplain Hartung then read Washington's farewell address. It was expected that an officer from the Department of Rifle Practice, or at least the Brigade Inspector of Rifle Practice, would be present to deliver, in the manner required by Department circulars, the marksmen's badges won by the regiment during the year 1879, but as none of these officers were on hand, Colonel Unbekant decided not to detain the men with a formal speech, and bunching the badges, handed them to the company commanders for distribution. The regimental line was reformed, the command marched out of its armory, and the parade commenced. The line of march was through Grand street, Bowery, 4th Ave., to and around Washington's monument, which was properly saluted; thence to Ave. B, 2d Street and Bowery, to its armory. During the march the regiment appeared to the very best advantage; its marching was most steady, alignments and distances very satisfactory. At Grand street and the Bowery, the veterans of the war of 1812 paid a marching salute to the 11th, the regiment drooping its colors, and officers saluting the veterans. In the evening the officers enjoyed their annual dinner at the Germania House, Grand street, at which a number of guests were present.

TWENTY-FIRST NEW YORK (POUGHKEEPSIE).—Pursuant to orders the city companies of this regiment assembled for battalion drill, in full dress uniform, on Wednesday evening, February 11, at 8 p. m., and the command, six companies with the following strength, was turned over by Adjutant Darrow to the instructor, Lieut.-Col. H. G. Wolcott: Co. A, 2 officers and 27 men; Co. B, 3 officers and 34 men; Co. F, 2 officers and 20 men; Co. G, 1 officer and 14 men; Co. B, 1 officer and 19 men; Co. I, 3 officers and 24 men; total, 12 officers and 133 men. The marching in column of fours was steady and accurate, and the manual on the march was executed with a snap and vim that showed that the men were on their mettle and determined to do their best. Division formations were quickly and evenly executed, carriage excellent, and distances well preserved. Forming line in two movements was executed well, but the captains of Cos. B, F, G and I did not repeat the orders of the instructor in proper time, and allowed their commands to pass too far before correcting their errors. A centre forward with deployment in two movements were next in order, and, barring a slight mishap on the part of Col. Wolcott in giving the order, was fairly performed. Placements and deployments were good; right of companies rear into column fair, and close column on first company excellently performed. The drill was followed by a dress parade. The fix bayonets was very tediously executed, and needs improvement. The captain of Co. B did not give the order "parade rest" until after the adjutant had ordered "sound off."

Co. A was the recipient of an elegant wax cross entwined with flowers, the gift of Miss Libbie Farrington, sister of Sergt. Farrington, deceased. Lieut. Benaway presented the token and Capt. B. Myers received it on behalf of the company in a very feeling speech.

SIXTY-NINTH NEW YORK.—The veteran corps of this command celebrated Washington's birth-day at the regimental armory, February 23d. The walls and president's desk were decorated with American flags, the regimental flags and the battle flags of the Second Corps, in which the regiment served in the late war. A bust of Washington and another of General Corcoran were decorated with laurel wreaths. Comrade John Savage delivered a brief address on the "Life and Character of Washington," which was followed by the reading of the "Farewell Address" of Washington by Bartly Gallagher, after which a supper was heartily enjoyed.

The *Herald*, in its famine column, lately announced that Mr. J. J. Coogan, No. 125 Bowery, had made a proposition to the regiment, in view of their abandonment of the St. Patrick's day parade, by which the famine fund could be swelled by from \$6,000 to \$10,000. He suggested that the regiment hire the Madison Square Garden for the evening of St. Patrick's Day, and hold a dress parade and a concert,

to be accompanied by an oration by some prominent orator. With an admission fee of \$1 a large sum could be realized, and Mr. Coogan agreed to pay all the expenses. It now appears that Mr. P. S. Gilmore had already secured the building on that occasion for a concert in aid of the fund, and he has most generously withdrawn in favor of the regiment. The Board of officers have accepted Mr. Coogan's proposition, and on the occasion will give a battalion drill and dress parade, with a review by Governor Cornell, a concert, and dance.

THIRD NEW YORK CAVALRY.—This regiment assembled in full uniform, dismounted, at its armory, Elm and White streets, on Monday, February 23d, for dress parade, review, presentation of marksmen's badges, and reception. The command was out in force, and appeared to most excellent advantage during the dress parade. The formation was good, manual of the sabre very fair, and steadiness of the best description. At the close of the ceremony, Colonel Budke, in the absence of an officer representing the Department of Rifle Practice, presented the 67 marksmen's badges won by the regiment at Creedmoor in 1879. Veteran badges were awarded to Colonel Budke, Sergt. George T. Meisholm, Capt. C. Tieemann, and John H. G. Vehslage, Inspector of Rifle Practice. After this presentation, Lieut.-Col. Beyer was presented by the officers with a silver service and gold watch and chain, the day commemorating the twenty-fifth anniversary of his marriage. Dancing was then commenced and continued until early morning.

EAGLE TROOP CAVALRY, FIFTH NEW YORK DIVISION.—The anniversary of Washington's birthday was celebrated at Mount Vernon on February 23 by a parade, collation, and evening reception by Troop E, Mount Vernon, Capt. Jarvis, and Co. D, 16th Battalion, Yonkers, Capt. Frazier. The occasion was rendered particularly interesting by an illustration of the system of signals used during the late war by the signal detachment connected with Troop E. This detachment have been practicing with the system in use about two months only, and have had for instructor Sergt. Wm. Henderson, formerly attached to the U. S. Signal Service at Washington. The success the corps has attained is due mainly to his thorough knowledge and experience and the untiring energy he has exhibited in drilling the corps.

NATIONAL GUARD ASSOCIATION, S. N. Y.—The executive committee appointed at the meeting of the National Guard Association at Albany last month, and consisting of Generals Molinoax, 11th Brigade; Rogers, 8th Division; Dering, 4th Brigade; Colonel Thompson, 2d Division; Majors Jones, 12th Regt.; Farr, 11th Brigade, and Captain Olmstead, Battery L, met at the residence of the Secretary, in New York City, last week, for the purpose of discussing the bill introduced in the Assembly by Colonel Varnum, and other subjects relating to the State forces. The principal topic coming before the committee was that of the constitution of the commission to revise the Military Code of the State. Col. Varnum's bill provides that the commission shall be constituted of the Adjutant-General, Inspector-General, and Chief of Ordnance of the State, with two commissioners of the State forces, one of whom shall be a counsellor-at-law of the Supreme Court of not less than ten years' standing. The composition of this commission was most freely discussed, the feeling of the committee as well as that expressed by other officers of the State being that with all due respect to the officers of the general staff, it was absolutely necessary that three or even more officers, if regimental and company so much the better, should have place on this commission, as they were the officers best qualified to know the wants and requirements of the National Guard. It was finally resolved that the executive committee, speaking on behalf of the State forces, respectfully and urgently advise that the bill introduced by Col. Varnum, be so altered as to give the organizations of the National Guard fuller representation in the commission. They recommend that the commission consist of three or more officers of experience in the service, in addition to the officers of the general staff. The subject of pay for this commission was also freely discussed, and it was the unanimous opinion of the committee that there were officers in the State who had sufficient interest in the National Guard to serve without pay. It was finally recommended that \$500 each be recommended as the allowance for the commission. It is to be hoped that the Adjutant-General and Col. Varnum will take into consideration these suggestions of the committee of the N. G. Association, and that the bill be so amended. Every officer in the State service thoroughly appreciates the necessity of an immediate and perfect reconstruction or revision of the code and regulations, and if it is to be accomplished this year, place the work in the hands of the men who, from immediate contact with the rank and file, know by practical experience the points on which reform is needed. We suggest a commission composed of the Adjutant-General, one Brigadier-General, two Colonels, one Captain, and one Regimental Staff Officer—of course, one of those named to fill the requirements as to legal ability. With such a commission the work would be well and promptly executed.

In the matter of the National Militia Bill now before the Congress of the United States, it was resolved "that in the opinion of the executive committee representing the National Guard, State of New York, the spirit of the proposed National Militia Bill is opposed to the principle of the rights of States, and therefore deprecate its passage in its present shape."

The subject of State annual encampments being discussed, the committee suggest that the clause in the Military Code, authorizing the Commander-in-Chief to order camps of instruction in his discretion, be made mandatory; while in the matter of compensation of officers and men of the National Guard, the committee favored the enactment of a code similar in its provisions to the system in vogue in the States of Massachusetts and Connecticut. The committee further recommend the simplification of the provisions relating to courts-martial for the trial of delinquent non-commissioned officers and privates; that fines be paid over to the court without marshal's fees, and that the time for the return of fines collected by marshals be limited.

The present code, providing that surgeons shall simply be graduates of an accredited school of medicine, the committee suggest that the further provision be added, that they shall be actual practitioners at the time of appointment.

For the first time in the annals of the State National Guard Association, we have been called upon to chronicle the proceedings of a meeting of its executive committee—of course excepting the individual work of Major Williamson last year—and from the resolutions and recommendations passed at this meeting, and the active steps which will immediately follow for the amendment and passage of the commission bill, and for the defeat of the National Militia scheme, it appears that live officers make live organization. When the commission, on revision of the Code, is appointed, we will, no doubt, again have to tell the troops of New York State, that their Association, in following the suggestions of the JOURNAL, has at length made itself felt by their action in recommending and advising on all needed changes.

MASSACHUSETTS.—The 4th Battalion assembled at Boylston Hall February 23 for the purpose of celebrating Washington's birthday by a parade and drill. The first command to report was the Massachusetts Guard, Cambridgeport, Capt. Locke; the Fierce Light Guard, Capt. Field, and Boston Light Infantry, Capt. Thomas, following in rapid succession. While awaiting the arrival of the East Boston company the time was improved by a series of company drills, the Fierce Guard first taking the floor; the Massachusetts Guard followed, and they were succeeded by the Light Guard. The evolutions and manual were all executed in a neat and soldierly manner, the step, alignments and distances both in column of fours and company front being excellent, and receiving well merited applause. On the arrival of Capt. Parkinson's company the battalion line was formed, Maj. Wellington in command—a heavy storm of snow and rain, however, prevented the parade, and while awaiting a break in the clouds a smart drill was had in battalion movements; and considering that for many of the officers it was a *debut* in the school of the battalion the evolutions were most creditably executed. The marching and distances were of the best description. The rain having ceased it was decided to attempt the parade, but when the left of the column reached the street it was met with a blinding snow squall. The route of march was, however, continued, and after passing through Washington School, Tremont and Boylston streets the battalion entered the armory and was dismissed. The parade reflects much credit on the old 4th Battalion.

In the evening the Veteran Association, 1st Corps of Cadets, had its annual dinner at Young's Hotel. The large dining room was occupied, and about sixty-five members of the association were present, Col. C. C. Holmes, the commander, presiding. The Cadet band, J. Thomas Baldwin, leader, furnished the music. Lieut.-Col. Edmonds and other officers of the active corps were present as guests.

The Roxbury Horse Guard will hold its annual military levee at the armory, Bacon's Hall, March 3. The committee of arrangements include Capt. Fenner, Lieuts. Young and Goss, Major Geo. Curtis, Capt. Holmes, Calder, Decatur, Hall, Scott and Lieut. Newcomb. The grand march begins at 8 o'clock, and the levee will be the event in ball circles at the Highlands.

The Roxbury City Guard, Co. D, 1st regiment, are contemplating a visit to Yorktown on the occasion of the centennial of the surrender of Cornwallis, and at a recent meeting a committee of the officers in connection with the Roxbury Artillery Association was appointed to arrange for the excursion. This company being nearly as old as the date of the surrender of Cornwallis itself, having been organized March 22, 1784, it is peculiarly fitting that they should compose a part of the military delegation that will represent the State at this celebration.

LOUISIANA.—Washington's Birth-day was celebrated in New Orleans on February 22d by a grand parade and review of the State National Guard. Shortly after 1 P. M. Division line was formed on Canal street, ranks were opened, and Governor Wiltz reviewed the command in line. The Governor was attended by his full staff of twenty-five, headed by Adjutant-General G. T. Beauregard, all presenting a splendid appearance. At the close of the review the Governor retired; the staff, however, accompanied the Division during the march. The route was through Chartres, St. Louis, Royal, St. Charles, Poydras and Camp streets, the Division being received along the route with most gratifying applause. The troops were in the following order:—Gen. Behan, commanding the Division, and staff; First Brigade, General John Glynn, Jr., and staff; Louisiana Field Artillery, Lieut.-Colonel Gustave Le Gardeur, Jr., four batteries, as follows:—A, Capt. J. A. Augustin; B, Capt. J. D. Edwards; C, Capt. M. J. Portier; D, Lieutenant E. Clarke. The 1st Regt. Infantry, Colonel Adolphe Meyer commanding, followed, with full ranks and swinging step; then the Continental Guards, Capt. Wm. Piero, and Second Infantry, Lieut.-Colonel Hill, the latter with four solid companies appearing to splendid advantage; the New Orleans Artillery, Colonel Bachemin, with five batteries, and battery F, with two twelve pounders and two Gatling guns. The regiment had as guests the Alabama State Artillery, Capt. D. E. Huger; the Tiro al Bersaglio, Captain John Astredo; company Franc Tireurs, Capt. Armand Selle; company Cazadores, Capt. Joseph Llado; and the Gardes Lafayette. The Second Brigade was commanded by Colonel Chas. E. Fenner, and was headed by the German battalion, Colonel Aug. Reichard, with five companies, immediately followed by the First Regiment, Mobile, Colonel Tilley K. Irwin, with five staff and the following companies: Mobile Rifles—Captain Price Williams; Washington Light Infantry—Captain J. J. Crowley; Mobile Cadets—Captain W. J. Brainard; Alabama State Artillery—Captain Daniel E. Huger; Gulf City Guards—Captain E. M. Underhill; Cleburne Guards—Captain Jos. Cahill. The visitors were followed by the Crescent City Battalion, five companies, commanded by Captain R. B. Pleasants, senior captain; while the Washington Artillery, Major J. B. Richardson, three batteries, brought up the rear, Company B parading as artillery in charge of the battery of four Parrot guns. After the conclusion of the march the column was transported to the Ridge cemeteries to take part in the dedication of the monument erected by the Washington Artillery Association, to commemorate the services of the Battalion Washington Artillery, and to honor and perpetuate the memory of those comrades who were killed in battle, and who died in service in the late war, at the Metairie Cemetery. On arrival of the troops, the command was formed in a hollow square, the Mexican veterans in front and the artillery parked in the rear. After prayer by Right Rev. J. A. Galloher, Bishop of Louisiana, the Monument was uncovered by Mr. Alex. Doyle, M. R. A., the sculptor, and Chas. A. Orleans, the architect, Battery B, Captain Edwards firing a national salute of 38 guns, and all the bands playing "Auld Lang Syne." Colonel T. L. Bayne, President of the Washington Artillery Association, then advanced, and presented the monument to the Battalion in a warm and enthusiastic speech on the worth of the organization, past and present. Colonel Wm. Owen received the monument in behalf of the battalion, and then introduced the orator of the day, Hon. T. J. Semmes, who in a telling speech recounted the deeds of bravery and heroism of the Washington Artillery, and closed by saying, "in the course of time this monument may molder and pass away, but the undying principle which the sacred dead have consecrated by their blood will never perish, and with it the name of Confederate soldiers shall live forever, entwined with immortal glory."

A DETACHMENT composed of Co. D, 65th regiment; Co. D, 74th regiment; Co. D, Buffalo City Guard and the City Guard Cadets, with the 74th regiment band and drum corps, and numbering in all about 250 officers and men, celebrated Washington's birthday by a parade through the principal streets of Buffalo on February 23, with a reunion and camp fire of the Buffalo City Guard, Lee's Cavalry, and Fay's Light Artillery, 1887, in the evening, the guests including the officers of the 8th Division, 14th Brigade, the batteries and separate troops. The general exercises consisted of the recounting of the past deeds and glories of the Buffalo militia, during which some most amusing and ludicrous incidents by flood and field were told to the great delight of the audience.

VARIOUS ITEMS.

A NEW YORK regiment offers for sale, cheap, a lot of 400 knapsacks, enameled cloth, same pattern as S. N. Y., with dummy blanket rolls, all in first class condition. Address U. F. office of this paper.

THE 47th New York will be reviewed by Gen. Molinex at their armory on March 3. The marksman's badges, 1879, and the "Young" prize will be presented by Major Farr.

CAPT. J. S. BARTON, 48th New York, and one of the famous Oswego rifle team, is going West, intending to locate at Leadville. Prairie dogs will take the place of the innocent woodchucks. Alas! poor prairie dogs!

THE Veteran Zouave Battery, Elizabeth, N. J., celebrated Washington's birthday by a parade, the command turning out with full ranks and appearing to fine advantage.

THE Albany Jackson Corps will visit Elizabeth, N. J., on the 8th of June next, and will be the guests of the Veteran Zouaves. The Princeton Continentals, and perhaps one or more companies from New York city will also be present on that day. The occasion is the centennial celebration of the battle of Elizabethtown.

BRIG.-GEN. WM. G. WARD, 1st Brigade; Col. George D. Scott, 8th regiment, and Col. S. Oscar Ryder, 9th regiment, are detailed as a court-martial to try delinquent officers of the 1st Brigade, N. G. S. N. Y. Meeting March 18.

THE officers of the National Guard will be much interested in reading the decision of the Supreme Court, regarding the acts of officers during the late war, furnished by Gen. Sherman, and published in another column.

CO. F, 51st New York (Syracuse), held a full dress drill and reception at Beard Hall, Fayetteville, February 16. The drill occupied about an hour, during which company movements and the manual of arms were executed in a prompt and soldierly manner, demonstrating to the large assemblage that Capt. Knapp did not neglect his duties.

THE 51st New York (Syracuse), Col. J. W. Yale, paraded with a strength of 250 rank and file, February 23. After marching through several of the principal streets the regiment entered Vanderbilt Square, where the various battalion movements were executed in most commendable shape. The late wing drills have told on the steadiness and discipline of the 51st, and now Col. Yale should take up officers and non-com. officers drills, practical and theoretical.

THE newly chosen Board of Supervisors of Onondaga Co., N. Y., includes quite a military representation. Col. W. R. Chamberlin, Judge-Advocate of the 6th Division, N. G. S. N. Y., is the member from the town of Geddes; Captain Michael Aner, of Troop C, cavalry, represents the 7th Ward of Syracuse, and Major H. W. Clarke, of the 51st regiment, has been re-elected to a third term from the 8th Ward by a majority of 409. All these gentlemen are veterans of the late war.

A WASHINGTON telegram to Philadelphia *Bulletin* says: During the past two or three years several of the Southern States have established a State militia, and then called upon the Federal Government to supply them with improved firearms under existing laws regulating the issuing of arms to the several States for military purposes. In this way the South has obtained a good many arms of the most improved pattern. While this has been going on the northern States have made no demands on the General Government for militia purposes. A few days since Governor Head, of New Hampshire, called upon the Secretary of War, and arranged for nearly 2,000 stand of arms—the most improved breech-loading rifles—with which to arm the State militia of his State. This is not done with any idea that the militia will be called upon within the next few years to use the arms thus furnished, but only that the State may have a well drilled military organization in case any emergency arises, and not be wholly defenceless or unable to respond to any call of the General Government.

THE Baltimore *Sun* reports that as the result of a committee of the Maryland legislative committee with the Governor it is proposed, as the State militia now costs \$25,000 a year, to reduce the amount only to cover support for the 5th Maryland. The Adjutant-General's salary will be reduced to \$1,000 or made an honorary position.

SERGT. SMITH, Battery C, 3d U. S. Artillery, Fort Hamilton, has been granted a ten days' furlough, during which his time will be expended in instructing Battery L, Binghamton, N. Y., Capt. Olmstead, in the full mysteries of light battery manevres.

CHAPLAIN E. C. BARNARD, 14th Battalion, Illinois, preached a special sermon to Cos. A, B and D, of that command, on Washington's birthday, February 22.

THE field music 5th New York under Drum-Major Charles Berchet will give its twenty-second annual exhibition drill and reception at Irving Hall on Monday evening, March 15, at 8 o'clock P. M.

THE Veteran Association 23d New York have chosen the following field and staff for the ensuing year: Colonel, Rodney C. Ward; Lieut.-Col. Mortimer C. Ogden; Major, W. L. Martin; Adj't, George S. Jewell; Quartermaster, Chas. H. Stoddard.

CO. C, 13th New York, has elected Wm. Hemstreet captain, William L. Franz first lieutenant, and J. A. Wernberg second lieutenant.

THE 23d New York will drill by division, during the second week in March, at its armory, Clermont avenue. Major Frothingham, Captains Williams and Ferry have been appointed the examining board for non-com. officers for 1880.

CO. B, 71st New York, gave a handsome reception to its friends on February 23. The music was furnished by the regimental band, the dances being enjoyed by fully three hundred couples. The Old Guard, the veterans of the 7th and 9th regiments and 9th New Jersey, were represented during the evening.

THE Gatling Battery, Washington Greys, 1st New York Division, held its annual Washington's birthday reception at its armory, 45th street, February 23, the occasion vicing in attendance and beauty of toilets with those of previous years. The division was well represented, while the Gatling Battery, 11th Brigade, was the special guest of the evening. The reception was most enjoyable, the members seeming determined that the Gatling reception should outdo all the efforts of the troop.

SEPARATE Troop E, 3d New York Division, Eagle Troop, Mount Vernon, entertained Co. D, 16th Battalion, Yonkers, on February 23. Part of the ceremonies was a parade and an exhibition of the working of the Signal Corps organized by the troop. The messages and replies were received with correctness and dispatch, and the new corps was pronounced a complete success. A reception was held in the evening.

THE 13th New York gave a grand promenade concert and athletic entertainment at its armory on February 23. The games were a success, but the musical artists preferred a quiet place for their part of the entertainment, "Liegt" and "go as you please" do not harmonize.

THE twenty-sixth annual levee of the Amoskeag Veterans, New Hampshire, was given in Smyth's Opera House, Manchester, February 23. At the conclusion of the grand march, the company formed for a quadrille, followed by twenty dances. The toilets of the ladies exceeded in richness and brilliancy that of any former levee in the history of the battalion. Governor Head and staff, New Hampshire, and Governor Long and staff, Massachusetts, graced the occasion with their presence.

THE battalion State Fencibles, Philadelphia, has resolved to visit Yorktown, Va., in October, 1881, for the centennial celebration. The trip will occupy one week, for which a steamer will be chartered, the command using it both for transportation and in lieu of hotel accommodations. Governor Head and staff, Gen. Hartranft and staff, General Snowden, Mayor Stokley and a number of city officials are to accompany the battalion.

MAS. HEPBURN, inspector 1st Brigade, Pennsylvania, will begin his annual tour of duty on March 1.

THE 8th New York will resume drills by battalion, at the 9th avenue armory, about the second week in March. Col. Scott will be the instructor.

THE annual inspection of the New Hampshire National Guard was concluded by the inspection of the companies in Concord February 17. Inspector-General J. W. Sturtevant, Col. S. N. Patterson, Surgeon F. A. Colby, and Assistant Surgeon Geo. W. Cook were the inspecting officers.

THE 71st New York ought to make an immediate requisition for a garrison flag. The miserable piece of soiled and torn bunting which floated over their armory on Washington's birthday was a disgrace to any well organized command.

CO. K, 12th New York, Capt. Fackner, celebrated the birthday of Washington by a working drill in "skirmish" and loadings and firings at the armory. The officers, non-coms. and twenty-two files reported for duty at 7:30 P. M.

COL. J. L. STEVENSON, late commander of the Ancient and Honorable Artillery, Boston, has presented to the Amoskeag Veterans of Manchester, N. H., a handsome memorial of the Honorable Artillery Company of London. It contains a picture of Albert Edward, Prince of Wales, captain general and colonel of the Honorable Artillery Company, flanked on one side by the "Queen's colors" and the "regimental colors," and on the other by the "armorial bearings" of the company.

RIFLE PRACTICE.

THE Board of Directors National Rifle Association will hold its regular monthly meeting at 23 Park Row, Tuesday, March 2, at 3 o'clock P. M.

ON February 21 the first competition for the picture presented by the board of officers 23d regiment was held at the armory gallery. The conditions were: Teams of five from each company; 200 and 500 yards; scaled targets; five rounds per man. The contest resulted in a victory for Co. C, on 166 points, as follows:

	200 yds.	500 yds.	Tot.
G. E. Hogg	21	22	43
J. E. Rennie	20	21	41
H. J. Smiley	20	18	38
F. R. Darveau	16	21	37
J. Crawley	18	9	27
	—	—	—
Total	95	91	186
The companies next in order were F, 174; A, 161; D, 163; I, 157; G, 156. Cos. B, E and K withdrew.			

THE first monthly competition for the "marksmen's medal for 1880," of Co. G, 13th New York, resulted in a victory for Sergt. F. W. Stark on a score of 40, five rounds each at 200 and 500 yards.

THE Everybody's Match, 12th regiment Rifle Club, is well patronized. The matches are held at the armory gallery each Saturday evening.

ANSWERS TO CORRESPONDENTS.

EX-REGULAR, referring to answer to "Auxious Inquirer" in JOURNAL of February 7, asks if he does not come under the same category, and where he must apply for retained pay, etc.? ANSWER.—You must state your case more fully, why, and for what cause, you were discharged, etc., whether honorably, etc. "Auxious Inquirer" stated a plain case and was answered accordingly.

DEXTER ASKS: If a soldier is sentenced by General Court-Martial to imprisonment for two years with forfeiture of pay, but before the expiration of the term he is released by proper orders and restored to duty, is there any way for him to receive the pay forfeited while he was in confinement? ANSWER.—No; not under existing regulations and decisions. When a soldier is sentenced to forfeiture of pay, the stoppage is held to be made day by day, and a remission only operates as to the future, not to past, forfeiture.

LIEUTENANT-COLONEL, San Francisco, Cal., writes: In the JOURNAL of January 31, 1880, page 519, column 2, under head of "Twelfth New York," the general guide is reprimanded for not facing to the point of rest. A careful reading of Tactics will show that in the original formation, and in other successive formations, except deployments, the general guides do not come out at all. ANSWER.—The formation referred to was but of a two company battalion, and was to the right, so that it came under the rules for successive formations, and the guides or markers should have faced to the point of rest. See par. 419, Tactics.

CAPTAIN, 5th REGIMENT, N. Y., writes: At the last drill 12th regiment, at Gilmore's Garden, a bugler of the 5th regiment sounded the signals dressed in a uniform of the 12th regiment. Is that not contrary to the Military Code—as the bugler is a regularly enlisted man of the 5th regiment? If ordered by brigade headquarters, should he not appear in the uniform of the regiment to which he belongs, and should not such orders pass through the regular channels and not leave the drum-major, under whom he properly belongs, ignored? This is entirely against the custom in use in the 1st Brigade. ANSWER.—The bugler referred to was merely hired for the drill by the 12th regiment, and is not considered as a member of that organization. He was not detailed by brigade headquarters; and his attendance with the 12th regiment did not interfere with his duty to the 5th.

NON-COM., New York city, writes: Will you please inform me as to the following: After calling roll of a company and before reporting to the adjutant—the first sergeant reports to the commandant of the company—he then goes out or away to report to the adjutant. Upon returning, the first sergeant reports to the captain the required equalization. Who makes it—if men are to be detailed say—and, if done by the first sergeant, does he, after having detailed so many files or half files, equalize the company remaining and count fours, etc., and then report again to the commandant, or does the latter do all this? If the former, what do the lieutenants and commandant do while the first sergeant is giving orders—"count fours," right (or left) dress, etc.? ANSWER.—The first sergeant reports the equalization to his captain, and then makes

the detail, under the supervision of the captain, sending them to the color line under charge of a duty sergeant. He then reforms the company according to the orders received from the adjutant and reports the completion to his captain. As the company had been already formed the captain and lieutenants are in their proper positions, and remain in their places while the sergeant makes the detail.

QUERY, Fort Sill, I. T., writes: Will you kindly answer the following questions: 1. When a company falls in, do the file-closers face to the front or to the right the same as the privates? 2. When the company is dismissed, do the file-closers come to arms port or remain at carry? 3. In forming column of twos from column of files does the leading file halt as in forming fours? 4. Company as skirmishers, does the right guide place himself on the right at the command "left wheel" or is the right skirmisher the guide? ANSWER.—1. The file-closers do not take post until the company is formed. 2. They execute "arms port". 3. Yes. 4. During skirmish movements the sergeants march ten yards in rear of their respective fours, the right skirmisher would be the guide.

J. P. K. asks if there is a vacancy at the Military Academy for the 32d Congressional District of New York? If not, the name of the cadet from that district? ANSWER.—There appears to be no vacancy at present. Cadet J. P. Warren is from the 32d Congressional District, and the class to which he belongs will graduate in June, 1881.

COMPOUND ARMOR.

The London *Times* of Feb. 6th makes the important statement that "The Italian Government, which were the first to adopt pure steel armor, are also on the point of abandoning iron and steel in favor of the compound system. In the case of the *Duilio*, which made a very successful trial of her machinery, the other day, an important difficulty has arisen, not unlike the one which marked the construction of the unfortunate *Captain*. Though the Italian turret ship has not yet received the whole of her steel armor on board, she is nearly down to her load line, and if she be completed as originally designed, it is calculated that she will be upward of a couple of feet deeper in the water than her constructors bargained for. The same circumstances hold good with respect to the *Dandolo*, and the only way which suggests itself by which the builders would be able to give them the freeboard they were intended to have, is to supersede the solid steel armor by compound armor of reduced thickness and weight. On the whole, it seems impossible to resist the conclusion that by the invention of the compound system the defense has once more been placed on an equality with the attack, seeing that chilled shot simply splashes itself against the face of the improved armor, while no steel shell yet manufactured has been able to pierce it and preserve its form."

It says also: The testing of the compound armor-plates for the *Inflexible*, and the result of the protracted series of experiments conducted at Shoeburyness, so satisfied the authorities at the Admiralty as to the superiority of steel-faced armor over every other description of protection that they have finally adopted it as the future defense of our ships of war. They have accordingly given orders for the turrets of the *Agamemnon*, at Chatham, and the sister ship *Ajax*, at Pembroke, to be armored by the compound system. The turrets of the *Inflexible* were originally intended to consist of solid iron plates 18in. thick, 18in. of teak backing, and an inner skin of 1in. in two equal thicknesses. With the adoption of compound armor, however, it was seen that the same weight of metal would not be required, and the turrets are now being constructed of 16in. of armor and 18in. of backing, the armor being in two thicknesses—viz., an outer ring of 9-inch compound armor and an inner ring of 7-inch iron plating, the whole being bolted together from the inside with steel bolts having rubber washers to absorb the shock on impact. This was an important gain in many respects; for, besides thoroughly breaking up the projectiles and absorbing the work stored up in them, the compound system afforded the constructors the greater margin they were sorely in need of in designing the larger vessels of war, inasmuch as the saving of weight secured by reduced thickness of armor, without loss of protection, will amount in a ship like the *Inflexible* to something approaching 600 tons. But while it was found that 3in. of steel face was amply sufficient to pulverize chilled shot and prevent penetration, and that the ductility of the iron backing was unquestionably a defense against racking, there was every reason to believe that an extra depth of iron would preserve the integrity of the plate and prevent its falling to pieces under the blows of continuous direct firing. In the *Ajax* and *Agamemnon*, therefore, it has been determined to get rid of the inner ring of armor, and to manufacture the compound armor for the turrets of a single thickness, instead of two thicknesses as in the *Inflexible*. The plates will accordingly be 16in. thick, the steel in the face being 5in., and the iron 10in. The test of this improved armor will be made by the War Department for the Navy at Shoeburyness, the 38-ton 12-inch gun being used on the occasion. The test pieces are now being prepared at Sheffield, and the results will be watched with great interest.

So satisfied is Mr. Barnaby as to the advantage of facing iron armor with hard steel that it is proposed to apply it for the protection of the sides as well as the turrets of ships. The first trial will be made upon the three new vessels now in course of building—the *Colossus* at Portsmouth, the *Majestic* at Pembroke, and the *Conqueror* at Chatham. The armor in these instances will be 18in. thick at the water-line, tapering below to a less thickness, and Messrs. Comell have prepared a sample plate of the side armor, having 6in. of steel face upon 12in. of iron. The ships now being constructed by Mr. Samuda for the Argentine Government are to be entirely clad with compound armor, and the same description of protection will also be fitted to portions of the *Polyphemus*, torpedo ship, at Chatham, in conjunction with a novel kind of deck armor manufactured by Sir Joseph Whitworth. This armor is made entirely of steel. The inner stroke consists of plates of mild 40-ton steel, two yards long, 30in. wide, and an inch thick; and upon this is placed a hard face, consisting of 10 inch

squares of very hard 80-ton steel, also an inch in thickness. The double plate is superimposed upon the iron deck plating, which is 2½in., in two thicknesses of 1in. and 1½in. The deck plating is bolted to the armor from the inside, while the armor is bolted to the deck plating from the front, and as the steel face is very hard, it is supposed that the projectiles of an enemy will glance off without inflicting serious damage.

Of the method of manufacturing the compound plates the *Times* says: Some of the early plates built on the compound principle parted under fire. Subsequently, however, the process was improved; and Mr. Alexander Wilson, of Sheffield, devised a method of welding large masses of steel and iron by pouring steel in the melted state upon the surface of an iron plate which had been heated to a good red. The temperature of the molten steel being much in excess of the welding heat of iron, the surface of the heated iron plate becomes partially fused by the overlying liquid steel, and thus a complete union or weld between the two metals is obtained, there being practically no limit to the masses of metal used. In this case the weld is not confined to a simple line marking the difference between the steel and the iron, as in the case of all ordinary welds, but a third metal or semi-steel is formed between the two, varying in thickness from ½in. to 3½in., by the carbon of the steel running into the iron. Through the formation of this zone of anomalous steel the two metals are joined together inseparably; or, in other words, the steel has gradually run into the fibrous iron and the iron into the steel. Experiments have been made to ascertain the relative strength of the weld thus produced, and on every occasion the iron only has been torn asunder, while the weld itself remained undisturbed.

(Correspondence of the Army and Navy Journal)

BURSTING OF THE 38-TON GUN.

LONDON, Feb. 9, 1880.

GREATER stress is laid in certain quarters on the magnificent success of the bursting of the 38-ton *Thunderer* gun at Woolwich. Many, however, well qualified to form an opinion do not appear to regard it as a success, or with unmixed pleasure.

If it was an unheard-of event that a gun should ever survive the ordeal of being fired when doubly-loaded, then the explosion of the Woolwich gun would be expected as a matter of course. It should be remembered that great opportunities are afforded by the country, and money is not grudged in order that the very best weapon, and the safest possible, should be provided for the fleet.

Repeated visits were reported latterly to Erith on the part of scientific officers to see guns lined with coiled iron barrels fired doubly-loaded, so that the Woolwich explosion would appear to have caused disappointment in some quarters. The *Times*, in a leading article on the subject, says:

Unless the influences hostile to change are more powerful than we care to believe, the disruption of the gun must lead, at no distant period, to an entire reconsideration of the Woolwich system of manufacture. The experiment has conclusively proved that a Woolwich gun will not bear a double charge; and the original accident proved that, even in practice during peace, and still more, therefore, in the hurry and confusion incidental to warfare, a double charge is liable to be fired. There are well-known private manufacturers of ordnance who certainly would not hesitate to submit their guns to a similar test, and who would not feel the smallest doubt of the ability of these guns to sustain it without receiving injury; but while private manufacturers have been compelled by considerations of manifest self-interest to keep pace with the times, and to accommodate their methods of construction to the progress of science, and especially to the changed character of powder, it is to be feared that the authorities of the Royal Gun Factory have not displayed an equal degree of acuteness or of enterprise. The faults of their system are two-fold. The first is that a tube of steel, itself formed by a method of unnecessary costliness, which involves no increase of efficiency, is surrounded by coils made from wrought iron under conditions prohibitory of sound welding, and liable to fly to pieces without warning when they are subjected to over-strain.

The second fault is in the abrupt termination of the outer coil, a construction which produces a sudden and pernicious reduction of strength. The authorities have long ago practically confessed the weakness of their guns, by never attempting to fire them with projectiles of sufficient length to allow the whole force of the powder to be utilized; and the numerous fissured guns returned for repair have told the same story with even greater emphasis. The numerous Woolwich guns which are now lying in our arsenals, or are mounted in our ships and forts, and which have been constructed at vast expense, form one of the most difficult conditions of the problem which awaits solution. The only present certainty with regard to it is, however difficult it may be, that it cannot in any possible manner be rendered either more simple or more easy by delay.

The great pressure expected to take place would appear to have been absent in the bore of the gun, for it is stated in the *Standard* of the 9th inst.:

The crueler gauges fixed in both projectiles have been recovered, but give no positive data respecting the pressure produced by the explosion. A very great pressure had been expected, and the copper crushers had consequently been submitted to a pressure of 35 tons to the inch before being inserted in the plugs. This pressure was not exceeded in the explosion, and the only apparent deduction of importance is that a strain which would not be alarming in the powder chamber has sufficed to burst the gun at the spot where its thickness and strength suddenly diminish.

The wad question, viz., that the cause of the explosion of the gun on board the *Thunderer* was caused by the shot overriding the wad, would appear to be in abeyance; for the Committee did not appear to be satisfied with the two rounds fired with one wad standing up straight in the bore, and the other leaning at an angle of 45 deg. It is supposed that the flame of the powder-chARGE may have blown out the wads before even the shot reached them, for the Committee, according to the *Daily News*, asked the War Office to permit them to fire three more rounds with wads, but were refused. It is hoped that Sir William Palliser will not let the matter rest, but that he will continue his tests in that direction. I am informed that the action of the R. L. G. powder

(which is stated to be of a most destructive power) on the gas check of the front shot of his double-loaded gun, was most remarkable. The copper was acted on as if it had been lead, showing an extraordinary pressure, and those competent to judge tell me that if a pressure gauge had been fitted to that projectile it would have been simply pounded into an undistinguishable lump.

FALL MALL.

WHILE Mayor Prince, of Boston, and a committee of the Boston Board of Aldermen were passing through this City on Friday last, en route to Washington to lay before the Government the necessity of strengthening the defences of Boston Harbor, they were entertained at an informal meeting by some of the members of the Chamber of Commerce. A letter to Mr. Cowdin, Chairman of the Executive Committee of the Chamber, from General Gillmore, was to have been read to the gentlemen from Boston, but it was received too late, and was sent to them at Washington. It was a very forcible and convincing presentation of the facts and arguments already presented in the *ARMY AND NAVY JOURNAL* by General Gillmore, to show the importance of attention to the matter of our coast defences. As the General says: "It is no secret that the United States possesses no guns capable of making a good defence against a modern fleet. Indeed, if we had the guns we have no places prepared to mount them in, where they could be served effectively against armoured vessels firing small missiles and case shot at moderate ranges." And "it is greatly within limits to say that the losses which might be inflicted in a few hours upon the communities clustered about the harbor of New York and the adjacent waters, if unprotected, would exceed by more than tenfold the entire cost of a complete system of permanent defences for our Atlantic coast." The General refutes the popular errors which assume that torpedo defences are sufficient, and that the channels of entrance to our harbors are not of sufficient depth for the passage of armored cruisers of modern type. "Great Britain," says General Gillmore, "has already expended about \$60,000,000 in building an iron-clad fleet, and when the revolutionizing tendencies of modern heavy guns was first foreshadowed, about twenty years ago, she promptly appropriated \$40,000,000 for permanent fortifications for the protection of a few of her most valuable and important forts. She is now manufacturing rifled guns of calibres ranging from 12 to 17 inches, which are fired with charges of powder varying from 200 to 450 pounds, and projectiles varying from 700 to 2,000 pounds. Some of these guns have been supplied to her colonies in America, and, if reports be true, materials for building armored vessels have also been sent over. It should not be forgotten that this most formidable and aggressive of all naval powers possesses numerous colonies and capacious harbors, and extensive naval establishments, depots and coaling stations, within a few hours sail of our coast, and that Spain, second only to Great Britain in naval strength, stands in a defiant and even menacing attitude at our very doors."

M. DE LESSEPS, with his family and some of his engineers, arrived in New York, from Aspinwall, Tuesday morning, Feb. 24. His plans will now be fully set forth before the American people. In a circular for the purpose, he says that although his engineers estimate the cost of the canal at \$43,000,000 francs, he thinks that the actual operations will show a considerable reduction. Hence, he fixes the capital of the company at \$60,000,000 francs, about \$120,000,000, and "reserves" one-half to the capitalists of America. Each share will be 500 francs, or \$100—one-fourth cash down, and the rest as called for. M. de Lesseps, as a mere detail, throws out the statement that the company has the right to "500,000 hectares of land, with such mines as they may contain, to be selected in Colombia." The head office will be in Paris. He estimates the traffic of the canal at six million tons annually, and the annual revenue at eighteen million dollars, at the rate of \$3 per ton, giving a revenue of ten per cent, on 180 millions of capital. Merchandise now carried across the Isthmus by land pays an average of \$16 per ton. The careful surveys have resulted in slight modification and improvement of the line of transit adopted at Paris, with a reduction in cost. A slope of 1 to 1 is adopted for the cuttings, except on the summit, where it is to be 1 to 1. The canal is to vary from 22 to 24 feet in width at the bottom, 18 to 50 feet at water line, and 8.50m. to 9m. in depth. A dam is to be constructed at Gamboa to provide for a storage of 1,000 million cubic feet of water, a quantity equal to the maximum estimate of the greatest freshet recorded, that of Nov. 25, 1879. A new channel will be made for the Gamboa. The excavation will amount to 75 million cubic metres, and the estimated cost is \$168,000,000. The work can be completed in eight years. No unusual difficulty is anticipated in taking out the rock to be excavated under the sea level. No work is required to give anchorage at Panama, and a breakwater of two metres is recommended for the Bay of Lima on the Atlantic side.

PROFESSOR NORDENSKJOLD has presented to the King of Sweden a report on the discovery of the North-western passage, in which he argues that it is perfectly practicable to establish regular navigation between the North Cape and the mouths of the Ob and Yenisei Rivers. A vast quantity of corn will thus admit of being exported from the Ob and Yenisei Provinces, and agricultural machinery be cheaply sent to the very heart of Siberia. As regards regular navigation between the mouth of the Lena, its practicability may be considered extremely probable. To form a communication between the mouth of the Lena and Europe will be only possible by devoting two successive summers to the journey and return journey. The Russians look upon the discovery of these important facts as the beginning of a new agricultural and commercial era for Siberia.

(From the London Times, Feb. 5)

THE GUNS OF THE FUTURE.

A discussion took place at the Royal Artillery Institution, Woolwich, on Tuesday, (Feb. 4), on the gunnery question, and was of special interest and importance at the present juncture. It arose upon a lecture dealing with the recent experiments at Meppen, the lecturer being Captain Orde Browne, late Royal Artillery, who contended that Krupp's 71-ton gun was a much better weapon than the British 80-ton gun, as it fires a heavier projectile with a higher velocity, producing 1½ in. more penetration with less pressure on the bore, the only reason being that it is a better proportioned gun. Its main advantage being its greater length, he argued that breech-loading had become imperative, because the labor and inconvenience of muzzle-loading increase with the length of the gun, and ultimately become almost impossible.

General Sir John Adye, R. A., late Director of Artillery, and now Governor of the Royal Military Academy, remarked that the 80-ton gun was designed six years ago, and it was only to be expected that the progress of science would produce better results in ordnance of later date, and some of our own muzzle-loaders of small calibre had already beaten the corresponding breech-loaders of Germany. His own opinion, supported by that of Captain Andrew Noble, of Sir William Armstrong's firm, was that there was no difficulty in making guns, whether breech-loaders or muzzle-loaders, which, being of the same calibre, shall produce identical results in range, accuracy, velocity, and power. Other considerations, though important, were not vital. Which, for instance, is the more convenient and the more rapid, the simplest, the cheapest, and the safest? He doubted the assertion of Captain Orde Browne that great length was fatal to muzzle-loading, for the 38-ton gun, which was 19 ft. long, was fired five years ago in a contracted casemate at Shoeburyness, loading by hand, and fired for two days at the rate of one round in two minutes. He doubted whether so prolonged and crucial a test had been applied to any breech-loader of the same size. He feared that breech-loaders in turrets having to be frequently opened might half suffocate the crew, and that the necessity of great care in opening and closing the breech in a dark and confined space might cause confusion, delay, and accident. He instanced the bursting of a large Krupp gun on board the German training ship, killing and wounding all the gunners save one, and said this was by no means a solitary case. The German 9-pounders used in the war with France in 1870-1 fired only the small charge of 1 lb. 1 oz., and yet large numbers of them failed on service, the German official reports showing that 210 became disabled, chiefly from the weak breech mechanism. Their siege guns were also so uncertain that out of 70 of them before Paris 36 became unserviceable in 15 days. Colonel Maitland reported that two Krupp field guns out of five

in one battery became disabled by the enemy's fire in the Russo-Turkish war. Herr Krupp had stated in 1878 that the whole of the German breech-loading siege and field artillery had been remodelled, which was a confession of weakness, and the test of war had not yet been applied to establish the improvement. In concluding a lengthy address, Sir John Adye admitted the desirability of extended experiments, and stated that the breech-loaders now in course of manufacture at Woolwich would afford the means of ascertaining much that was doubtful on the subject.

Admiral Boyes, who was asked to represent the views of the Royal Navy on the question, said there was a general desire for a full and careful series of experiments, and the Admiralty and War Office were fully in accord in desiring the most complete efficiency. No one would prefer breech-loading to muzzle-loading without good reasons, and the thorough change of stores which would follow the adoption of a new system was strongly against it. He cited some facts to show that the present guns were accurate and sufficiently rapid in action, and showed that the gunners were better protected now than they would be if they had breech-loaders on board ships; but nevertheless he admitted that recent researches favored a change of system. The improvements in gunpowder and the conditions of firing it, pointed to the increased length of the gun as a necessity, and a ship could not carry long guns unless they were breech-loaders.

Admiral Hamilton, Surveyor of Naval Ordnance, supported the remarks of Admiral Boyes.

Major Sladen, R. A., Professor of Artillery, Royal Military Academy, thought that breech-loading guns would always be more dangerous than muzzle-loaders, but that they would be more accurate, as better adapted for centering the shot, and as they were in the direction of progress, the risk would probably have to be accepted.

Major Stoney, R. A., Instructor at the Artillery Institution, deprecated a hasty acceptance of the German model, and especially objected to the introduction at present of steel guns.

The proceedings then terminated.

FRENCH AND GERMAN ARMIES.

THE Paris correspondent of the London *Standard*, says: "In the absence of definitive information we must hope that the disquieting rumors which reach Paris just now, with strange concurrence, from various quarters, may prove as groundless this year as they did on preceding occasions. The general public seems as imperturbably confident as ever, and there is a good deal of force in the argument, which is so frequently repeated, that the attitude of France is so straightforward and pacific as to deprive any Power anxious for war of a pretext for it. But too much should not be made of it, for it is because war may not come at a very short

notice that France has had to reorganize her army, with a view to a considerable increase in its numbers; and its facilities of mobilization, together with the aspect of foreign affairs, justify a certain amount of uneasiness.

"The chief Paris military organ, the *Armée Française*, publishes an article comparing the French and German armies, based upon the standpoint taken up by the new German Army Bill, which is, under present circumstances, of considerable interest. It admits that the Germans are right when they allege that the German infantry has only 469 battalions, while the French infantry has 641, namely, 576 line battalions, 30 battalions of Chasseurs, 16 battalions of Zouaves, three battalions of African light infantry, twelve battalions of Algerian Rifles (commonly called 'Turcos'), and four battalions of the Foreign Legion. It does not appear to me that the *Armée Française* is justified in not including in this enumeration the several battalions of Marines, which consist of picked troops. There is, however, this great difference between the German and the French armies, that whereas the 469 German battalions number 277,776 men, the French battalions only muster 268,647. 'Our infantry, therefore,' says the *Armée Française*, 'is less by 9,129 men, and when the thirty-four new battalions constituted by the new bill shall have been formed the numerical superiority of the German infantry will be 27,000 men.' The *Armée Française* proceeds to point out that though the French have 172 battalions more than the Germans, yet it is certain that the German infantry on the peace footing is 9,129 stronger than the French, and besides being more numerous the German infantry is more strongly organized than that of France. Furthermore, the *Armée Française* makes out that the German Army Bill overstates its case when it says that in the event of mobilization the French could bring 1,291 battalions into the field, the real number being only 1,276. But even taking the German figures to be correct, the new German Bill is glaringly wrong when it puts the German strength at 923 battalions. The *Armée Française* enumerates them and arrives at a total of 1,384, being a present superiority of 93 over France, to be increased to 151 battalions when the new bill is voted. The same paper proceeds to add that it has 'no objection to offer, as every State remains free to act as it pleases respecting the increase of its army; but the General Staff of Germany might have dispensed with bringing forward, in favor of military measures, arguments which it knows to be at variance with truth, and which would tend to show that the increase of the German forces was rendered necessary by the augmented armaments of France and Russia, its allegations as regards France being absolutely false.'

"The *Republique Française* has also an article on the subject, which makes out that the new bill will enable Germany to increase the number of men she can bring into the field, in the event of mobilization,

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Proposals for Proof-Chain, Great Kanawha River, W. Va.

U. S. ENGINEER OFFICE, CHARLESTON, KANAWHA CO., W. Va., Feb. 6, 1880. PROPOSALS for the delivery of about twelve thousand pounds, more or less, of Proof-Chain for Dams No. 4 and 5 of the Great Kanawha River Improvement, W. Va., will be received until noon of March 5, 1880, and opened immediately thereafter.

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THOMAS TURTLE, 1st Lt. of Engrs., U. S. A.

Proposals for Dredging in the Patapsco River.

U. S. Engineer Office, No. 70 Saratoga Street, BALTIMORE, Md., February 2, 1880.

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GENERAL ORDERS HEADQUARTERS OF THE ARMY,

Adjutant Gen.'s Office, Washington, February 3, 1880.

The following order from the War Department is published for the information of all concerned:

The recommendation of the Academic Board, under paragraph 9 of the Regulations of the Military Academy, that Abbott's "How to Write Clearly" be adopted as a text-book in the department of English Studies, U. S. Military Academy, has been approved by the Secretary of War.

By command of General Sherman: E. D. TOWNSEND, Adjutant General.

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from 2,500,000 to 3,100,000 men. It forbears offering any comment on this statement, and indeed none is needed; but it is impossible to regard it as a harbinger of peace."

THE ENGLISH COMMISSARIAT AND TRANSPORT DEPARTMENT.—A Royal warrant has just been issued reconstructing the Commissariat and Transport Department of the British Army. The department is to consist of a superior and a subordinate section; the former of which is to be recruited from among the officers, and the latter mainly from among the non-commissioned officers of the service. The members of the subordinate section will, however, be commissioned as officers. For the superior section the qualifications are not less than five years' previous service in the Army, the recommendation of the commanding officer, a Staff College Certificate, or in its absence a special educational test. An officer fulfilling these conditions who may be selected is to be posted to the department provisionally for a year, during which period he will be liable to revert to his regiment or previous position. In the event of his passing satisfactorily through the year of probation, the officer will be appointed for five years' subject to renewal, and will be seconded in his regiment after three months. He will be regarded as on the staff, and may so remain for ten years only, unless he elects and is permitted to join the department permanently. In the first instance he will have the grade of Deputy Assistant Commissary General, with pay at the rate of 12s. 6d. a day for the first three years, 15s. a day for the next seven years, and £1 a day after ten years from the date of his first appointment. The next higher grade is to be that of Assistant Commissary General, with £1 5s. a day for the first five years, and £1 10s. a day afterwards. The next higher grade, Deputy Commissary General, will receive £2; and the highest, Commissary General, £3 a day. All promotions in the department are to be made "entirely for ability and merit." Retirement is to be compulsory at certain ages, according to the rank held. Thus a Commissary General must retire at 60 years of age, or with five years' service in grade, but his age will not necessitate his retirement until he has held the position for at least three years. These regulations appear to apply to future appointments to the Commissariat and Transport staff, but officers already belonging to the department may be selected to continue their service under the new constitution of the branch, and under conditions which are apparently devised for the purpose of adding substance

to the advantages they now enjoy.—*London Times*, February 14.

In the Italian Chamber of Deputies, February 21, Signor Brin, formerly Minister of Marine, declared that the double turreted ironclad *Duilio* is absolutely superior to all the ironclads in the world for the power of her machinery and armament, and is only slightly exceeded by the British ironclad *Alexandra* for speed. The Minister of Marine confirmed Signor Brin's statement, and said that it was indispensable for large ironclads to have numerous torpedo boats. The Chamber then passed a resolution of satisfaction and thanks to the constructors of the vessel.

The Commission appointed to consider Rear-Admiral Tchigatcheff's plan for reorganization of the Russian navy has reported in favor of the following proposals: 1. Disarmament and sale of all ships found to be useless for service. 2. Disarmament of such ships as may still be used for purposes of defence, and which should therefore be retained. 3. Reduction of the personnel from 29,000 to 17,000 men. 4. All ships which are seaworthy, and capable of being employed as cruisers, to remain at sea for a whole year; training ships are to remain at sea from four to six months. 5. Immediate abolition of certain commands on the coast. 6. Establishment of a fixed census of age for each rank. 7. Establishment of a fixed maximum of for active service. 8. All officers now in active service to remain so until they are able to obtain their present pay in the shape of pension. It is calculated that by the above measures upwards of 7,000,000 roubles would be saved, and it is proposed to apply this amount to the building of new ships. The scheme is to come into effect, if approved by the Grand Duke, the Admiral-in-Chief, on the 1st of January, 1881.

Broad Arrow says: "For getting drunk, breaking away, striking a corporal, and 'carrying on' generally Gunner Newton has been sentenced, amongst other penalties, to two years' imprisonment. During this time the country is deprived of his services; if he does not eat the bread of idleness, he does not earn his living; and his enforced seclusion will not improve his military qualities. He is described as, physically, 'a magnificent specimen of an Englishman'; before committing himself he was remarkably quiet in his demeanor, and of exemplary character—yet for this single escapade, which in private life would have been amply

avenged for by 'forty shillings or a month,' he is condemned for two years to the demoralizing monotony of prison life. In addition, the country will have lost the services of an excellent soldier, and he will be branded for life as a gaol bird. Surely the policy which condemns soldiers to long periods of imprisonment for purely military offences may be questioned. Surely some short and sharp disciplinary punishment, which should be adequate to such grave offences as that of which Gunner Newton was guilty, and yet not so detrimental to the service and ruinous to the soldiers as that inflicted upon him might be invented. If the lash and a few file of men with loaded rifles were not appropriate to Gunner Newton's case, surely something better than the two years' incubus on the country could be devised."

THE production of Bessemer steel, since 1870, has advanced from 40,000 tons to 550,000 tons in the United States, and from 250,000 to 750,000 tons in England, Germany and France each produce about 250,000 tons, and the rest of Europe about 200,000 tons.

THE *Broad Arrow*, in speaking of the condition of the recruiting service of the British Army, says: "The army is now a popular trade, and young men are found in plentiful numbers who prefer soldiering to serving behind the counters of shops at the West End, or passing their existence on the high stools of city offices. They understand the advantages which enlistment secures, and they enter the army because they regard it as a desirable calling. This being so, the occupation of the old fashioned recruiting sergeant should be gone."

SOME relics of a privateer fitted out at Saint Malo in 1747, which sank in the roadstead of Morlaix (Finistere), have lately been recovered by Captain Guérin, of the *Plongeur*. He has brought to land three anchors, twelve cannon, a bell, some cannon balls, a number of boarding-pikes, sabres, pistols, etc.

DIED.

[Brief announcements will be inserted under this head without charge. Obituary notices and resolutions should be paid for at the rate of two cents a word, unless it is intended to leave the question of their insertion to the discretion of the Editor.]

BURBEEK.—At New London, Conn., February 23d, LUCY E. BURBEEK, widow of the late General Henry Burbank, U. S. Army, aged 96 years and 7 months.

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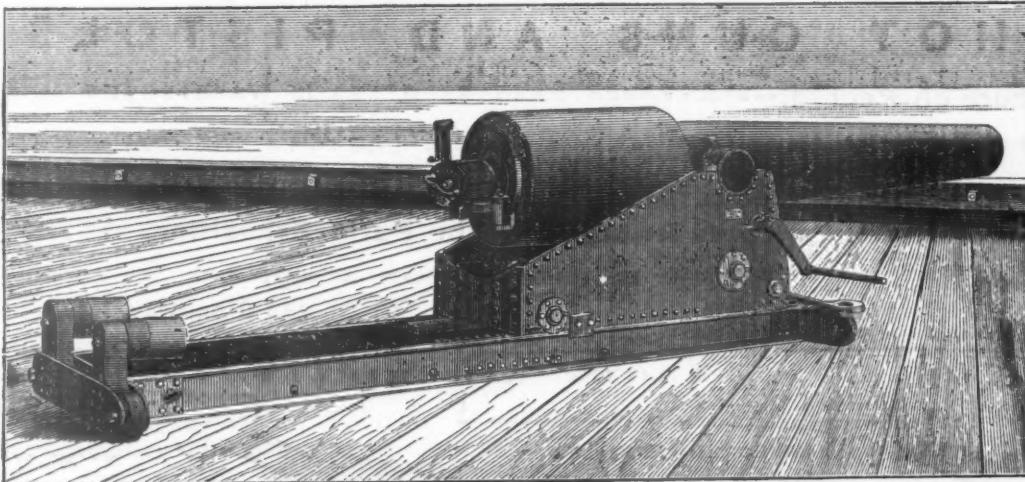
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